



General Assembly

January Session, 2003

Committee Bill No. 15

LCO No. 4596

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING STATE GOVERNMENT REORGANIZATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (3) of section 46a-51 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2003*):

4 (3) "Commission legal counsel" means [the counsel] a member of the
5 legal staff employed by the commission pursuant to section 46a-54, as
6 amended by this act.

7 Sec. 2. Subdivision (3) of section 46a-54 of the general statutes is
8 repealed and the following is substituted in lieu thereof (*Effective July*
9 *1, 2003*):

10 (3) To employ [a commission counsel who shall not be subject to the
11 provisions of chapter 67] legal staff as necessary to perform the duties
12 and responsibilities under section 46a-55, as amended by this act.

13 Sec. 3. Section 46a-55 of the general statutes is repealed and the
14 following is substituted in lieu thereof (*Effective July 1, 2003*):

15 The [commission counsel] executive director shall assign a
16 commission legal counsel to represent the commission in any
17 proceeding wherein any state agency or state officer is an adversary
18 party and may represent the commission in such other matters as the
19 commission and the Attorney General may jointly prescribe. [The]
20 Each commission legal counsel shall be a member of the bar of this
21 state and shall report to the executive director on a day-to-day basis.
22 [The executive director shall evaluate the performance of the
23 commission counsel.]

24 Sec. 4. Subsection (a) of section 46a-57 of the general statutes is
25 repealed and the following is substituted in lieu thereof (*Effective July*
26 *1, 2003*):

27 (a) [(1) The Governor shall appoint three human rights referees for
28 terms commencing October 1, 1998, and four human rights referees for
29 terms commencing January 1, 1999. The human rights referees so
30 appointed shall serve for a term of one year.

31 (2) (A) On and after October 1, 1999, the Governor shall appoint
32 seven human rights referees with the advice and consent of both
33 houses of the General Assembly. The Governor shall appoint three
34 human rights referees to serve for a term of two years commencing
35 October 1, 1999. The Governor shall appoint four human rights
36 referees to serve for a term of three years commencing January 1, 2000.
37 Thereafter, human rights referees shall serve for a term of three years.

38 (B) On and after July 1, 2001, there shall be five human rights
39 referees. Each of the human rights referees serving on July 1, 2001,
40 shall complete the term to which such referee was appointed.
41 Thereafter, human rights referees shall be appointed by the Governor,
42 with the advice and consent of both houses of the General Assembly,
43 to serve for a term of three years.]

44 (1) On and after July 1, 2003, there shall be three human rights
45 referees. The Governor shall appoint three human rights referees to

46 serve for a term of three years commencing July 1, 2003. Thereafter,
47 human rights referees shall be appointed by the Governor, with the
48 advice and consent of both houses of the General Assembly, to serve
49 for a term of three years.

50 [(3)] (2) When the General Assembly is not in session, any vacancy
51 shall be filled pursuant to the provisions of section 4-19. The Governor
52 may remove any human rights referee for cause.

53 Sec. 5. Subdivision (2) of subsection (d) of section 46a-82e of the
54 general statutes is repealed and the following is substituted in lieu
55 thereof (*Effective July 1, 2003*):

56 (2) The clerk, upon receipt of the petition and if the clerk finds it to
57 be in the proper form, shall fix a date for the hearing and sign the
58 notice of hearing. The hearing date shall be no more than thirty days
59 after the clerk signs the notice. Service shall be made on the
60 commission and all persons named in the discriminatory practice
61 complaint at least twenty days prior to the date of hearing by United
62 States mail, certified or registered, postage prepaid, return receipt
63 requested, without the use of a state marshal or other officer. Service
64 on the commission shall be made on the executive director of the
65 commission or [the] a commission legal counsel. Within five days of
66 service, the petitioner shall file with the court an affidavit stating the
67 date and manner in which a copy of the petition was served and attach
68 to the affidavit the return receipts indicating delivery of the petition.

69 Sec. 6. Subsection (d) of section 46a-83 of the general statutes is
70 repealed and the following is substituted in lieu thereof (*Effective July*
71 *1, 2003*):

72 (d) Before issuing a finding of reasonable cause or no reasonable
73 cause, the investigator shall afford each party and his representative an
74 opportunity to provide written or oral comments on all evidence in the
75 commission's file, except as otherwise provided by federal law or any
76 other provision of the general statutes. The investigator shall consider

77 such comments in making his determination. The investigator shall
78 make a finding of reasonable cause or no reasonable cause in writing
79 and shall list the factual findings on which it is based not later than one
80 hundred ninety days from the date of the determination based on the
81 review of the complaint, conducted pursuant to subsection (b) of this
82 section, except that for good cause shown, the executive director or his
83 designee may grant no more than two extensions of the investigation
84 of three months each. If the investigator makes a determination that
85 there is reasonable cause to believe that a violation of section 46a-64c
86 has occurred, the complainant and the respondent shall have twenty
87 days from receipt of notice of the reasonable cause finding to elect a
88 civil action in lieu of an administrative hearing pursuant to section 46a-
89 84, as amended by this act. If either the complainant or the respondent
90 requests a civil action, the commission, through the Attorney General
91 or [the] a commission legal counsel, shall commence an action
92 pursuant to subsection (b) of section 46a-89 within forty-five days of
93 receipt of the complainant's or the respondent's notice of election of a
94 civil action.

95 Sec. 7. Subsection (d) of section 46a-84 of the general statutes is
96 repealed and the following is substituted in lieu thereof (*Effective July*
97 *1, 2003*):

98 (d) The case in support of the complaint shall be presented at the
99 hearing by the Attorney General, who shall be counsel for the
100 commission, or by [the] a commission legal counsel as provided in
101 section 46a-55, as amended by this act, as the case may be. If the
102 Attorney General or the commission legal counsel determines that a
103 material mistake of law or fact has been made in the finding of
104 reasonable cause, he may withdraw the certification of the complaint
105 and remand the file to the investigator for further action. The
106 complainant may be represented by an attorney of his own choice. If
107 the Attorney General or the commission legal counsel, as the case may
108 be, determines that the interests of the state will not be adversely
109 affected, he may allow the attorney for the complainant to present all

110 or part of the case in support of the complaint. No commissioner may
111 participate in the deliberations of the presiding officer in the case.

112 Sec. 8. Subsection (a) of section 46a-95 of the general statutes is
113 repealed and the following is substituted in lieu thereof (*Effective July*
114 *1, 2003*):

115 (a) The commission through the Attorney General, [the] a
116 commission legal counsel, or the complainant may petition the court
117 within the judicial district wherein any discriminatory practice
118 occurred or in which any person charged with a discriminatory
119 practice resides or transacts business, for the enforcement of any order
120 issued by a presiding officer under the provisions of this chapter and
121 for appropriate temporary relief or a restraining order.

122 Sec. 9. Section 17b-651 of the general statutes is repealed and the
123 following is substituted in lieu thereof (*Effective July 1, 2003*):

124 The Department of Social Services shall maintain a Bureau of
125 Rehabilitation Services and shall disburse all funds provided for such
126 rehabilitation. [except for services to the blind.] The Commissioner of
127 Social Services shall appoint and, subject to the provisions of section 4-
128 40, the Commissioner of Administrative Services, subject to the
129 approval of the Secretary of the Office of Policy and Management,
130 shall fix the compensation of such persons as may be necessary to
131 administer the provisions of sections 17b-650 to 17b-663, inclusive, and
132 may, within said bureau, create such sections as will facilitate such
133 administration, including a disability determinations section for which
134 one hundred per cent federal funds may be accepted for the operation
135 of such section in conformity with applicable state and federal
136 regulations.

137 Sec. 10. (NEW) (*Effective July 1, 2003*) (a) The Department of Social
138 Services may provide necessary services to deaf and hearing impaired
139 persons including, but not limited to, nonreimbursable interpreter
140 services and message relay services for persons using

141 telecommunications devices for the deaf.

142 (b) The department shall prepare and maintain a register of the
143 blind in this state which shall describe their condition, cause of
144 blindness and capacity for education and industrial training. The
145 department may register cases of persons whose eyesight is seriously
146 defective and who are liable to become visually handicapped or blind,
147 and may take such measures in cooperation with other authorities as it
148 deems advisable for the prevention of blindness or conservation of
149 eyesight and, in appropriate cases, for the education of children and
150 for the vocational guidance of adults having seriously defective sight
151 but who are not blind.

152 (c) The department may accept and receive any bequest or gift of
153 personal property and, subject to the consent of the Governor and the
154 Attorney General as provided in section 4b-22 of the general statutes,
155 any devise or gift of real property made to said department, and may
156 hold and use such property for the purposes, if any, specified in
157 connection with such bequest, devise or gift.

158 Sec. 11. (NEW) (*Effective July 1, 2003*) (a) All functions, powers and
159 duties of the Commission on the Deaf and Hearing Impaired
160 established under the provisions of section 46a-27 of the general
161 statutes, are transferred to the Department of Social Services. Said
162 department shall constitute a successor and not a new authority.

163 (b) The transfer of such functions, powers and duties of said
164 Commission on the Deaf and Hearing Impaired pursuant to the
165 provisions of this section shall not affect any action or proceeding,
166 pending on or before July 1, 2003, and the department shall be deemed
167 substituted in such action by operation of this section without motion
168 or order.

169 (c) Any contract, right of action or matter undertaken or
170 commenced by the Commission on the Deaf and Hearing Impaired,
171 the functions, powers and duties of which are transferred by this

172 section, may be conducted and completed by the department in the
173 same manner and under the same terms and conditions and with the
174 same effect as if undertaken or commenced and conducted and
175 completed by the Commission on the Deaf and Hearing Impaired.

176 Sec. 12. (NEW) (*Effective July 1, 2003*) (a) All functions, powers and
177 duties, with respect to the vocational rehabilitation services program,
178 the business enterprise program, adult services and management
179 services, of the Board of Education and Services for the Blind
180 established under the provisions of section 10-293 of the general
181 statutes, are transferred to the Department of Social Services. Said
182 department shall constitute a successor and not a new authority.

183 (b) The transfer of such functions, powers and duties of said Board
184 of Education and Services for the Blind pursuant to the provisions of
185 this section shall not affect any action or proceeding, pending on or
186 before July 1, 2003, and the department shall be deemed substituted in
187 such action by operation of this section without motion or order.

188 (c) Any contract, right of action or matter undertaken or
189 commenced by the Board of Education and Services for the Blind, the
190 functions, powers and duties of which are transferred by this section,
191 may be conducted and completed by the department in the same
192 manner and under the same terms and conditions and with the same
193 effect as if undertaken or commenced and conducted and completed
194 by the Board of Education and Services for the Blind.

195 Sec. 13. Subsection (g) of section 4-89 of the general statutes is
196 repealed and the following is substituted in lieu thereof (*Effective July*
197 *1, 2003*):

198 (g) The provisions of this section shall not apply to appropriations
199 to the [Commission on the Deaf and Hearing Impaired] Department of
200 Social Services in an amount not greater than the amount of
201 reimbursements of prior year expenditures for the services of
202 interpreters received by the [commission] department during the fiscal

203 year pursuant to section 46a-33b and such appropriations shall not
204 lapse until the end of the fiscal year succeeding the fiscal year of the
205 appropriation.

206 Sec. 14. Section 5-175a of the general statutes is repealed and the
207 following is substituted in lieu thereof (*Effective July 1, 2003*):

208 [(a)] Vending stand operators, operating stands under permits held
209 by the [State Board of Education and Services for the Blind]
210 Department of Social Services pursuant to section 10-303, shall be
211 members of the state employees retirement system, part A, exclusive of
212 the Social Security option and benefits in the state employees'
213 retirement system dependent thereon. Each such person shall
214 annually, on or before June thirtieth, pay five per cent of his adjusted
215 gross income, arising out of the operation of such stand, as determined
216 under the Internal Revenue Code, during the calendar year preceding
217 to the [Board of Education and Services for the Blind] department
218 which shall, as the state administering agency for such persons, certify
219 such payment and pay it over to the State Retirement Commission,
220 provided membership of such persons in said system shall be
221 exclusive of disability retirement upon the grounds of defects of vision.

222 [(b)] Any member of the state employees retirement system who
223 operated vending stands under permits held by the State Board of
224 Education and Services for the Blind pursuant to section 10-303, prior
225 to October 1, 1971, may obtain credit for such period or periods of
226 service for retirement purposes; provided he has been in the active
227 full-time employment of the state continuously for twelve months next
228 preceding his written request to the Retirement Commission for such
229 credit, and by making retirement contributions of five per cent of his
230 adjusted gross income arising out of the operation of such stands for
231 each of such years with interest thereon at the rate of five per cent per
232 year from the time of such operation to the date of payment, all as
233 certified by the State Board of Education and Services for the Blind.
234 Such payments may be made in twelve equal monthly installments but

235 such service credit shall not be granted unless payment of installments
236 is completed.]

237 Sec. 15. Subsection (c) of section 9-20 of the general statutes is
238 repealed and the following is substituted in lieu thereof (*Effective July*
239 *1, 2003*):

240 (c) The application for admission as an elector shall include a
241 statement that (1) specifies each eligibility requirement, (2) contains an
242 attestation that the applicant meets each such requirement, and (3)
243 requires the signature of the applicant under penalty of perjury. Each
244 registrar of voters and town clerk shall maintain a copy of such
245 statement in braille, large print and audio form. The [Commission on
246 the Deaf and Hearing Impaired] Department of Social Services shall
247 produce a videotape presenting such statement in voice and sign
248 language and provide the videotape to the Secretary of the State who
249 shall make copies of the videotape and provide a copy to the registrars
250 of voters of any municipality, upon request and at a cost equal to the
251 cost of making the copy. If a person applies for admission as an elector
252 in person to an admitting official, such admitting official shall, upon
253 the request of the applicant, administer the elector's oath.

254 Sec. 16. Subsection (a) of section 10-76y of the general statutes is
255 repealed and the following is substituted in lieu thereof (*Effective July*
256 *1, 2003*):

257 (a) Notwithstanding any provision of the general statutes, school
258 districts, regional educational service centers, the [Board of Education
259 and Services for the Blind] the Department of Social Services, and all
260 other state and local governmental agencies concerned with education
261 may loan, lease or transfer an assistive device for the use and benefit of
262 a student with a disability to such student or the parent or guardian of
263 such student or to any other public or private nonprofit agency
264 providing services to or on behalf of individuals with disabilities
265 including, but not limited to, an agency providing educational, health
266 or rehabilitative services. Such device may be sold or transferred

267 pursuant to this section regardless of whether the device was declared
268 surplus. The sale or transfer shall be recorded in an agreement
269 between the parties and based upon the depreciated value of the
270 device. For the purposes of this section, "assistive device" means any
271 item, piece of equipment or product system, whether acquired
272 commercially off-the-shelf, modified or customized, that is used to
273 increase, maintain or improve the functional capabilities of individuals
274 with disabilities.

275 Sec. 17. Subsections (a) and (b) of section 10-294b of the general
276 statutes are repealed and the following is substituted in lieu thereof
277 (*Effective July 1, 2003*):

278 (a) There is established a Braille Literacy Advisory Council which
279 shall (1) review braille literacy and assess the availability of services for
280 visually impaired children of school age, (2) collect data on the
281 frequency with which an individualized education plan contains a
282 recommendation or determination that a visually impaired child
283 should not be taught braille and the reasons therefor, (3) evaluate the
284 learning media assessments for visually impaired children and the
285 need for a common standard for such assessments which shall be
286 periodically reviewed, (4) develop a plan to attract qualified teachers
287 for visually impaired children, (5) assess methods to improve
288 coordination between the [Board of Education and Services for the
289 Blind] Department of Education and local education agencies which
290 employ teachers of visually impaired children relative to braille
291 instruction and the teaching of such children and the expansion of
292 professional development programs for teachers of visually impaired
293 children employed by said board and such agencies, (6) encourage
294 local school districts to require vendors of school textbooks to provide
295 electronic or braille versions of such books in the American Standard
296 Code for Information Interchange format or other text-based computer
297 accessible format in a timely fashion, and (7) review the caseloads and
298 direct service time of teachers of visually impaired children employed
299 by the [Board of Education and Services for the Blind] Department of

300 Education and teachers of such children employed by local education
301 agencies, and assess the literacy of such children attending schools
302 with such teachers.

303 (b) Said advisory council shall consist of the following members: (1)
304 The Commissioner of Education or the commissioner's designee; (2)
305 the [executive director of the Board of Education and Services for the
306 Blind or said director's designee] Commissioner of Social Services or
307 the commissioner's designee; (3) one representative of the National
308 Federation of the Blind of Connecticut, appointed by the president pro
309 tempore of the Senate; (4) one teacher of visually impaired children
310 employed by the [Board of Education and Services for the Blind]
311 Department of Education, appointed by the majority leader of the
312 Senate; (5) one teacher of visually impaired children employed by a
313 local education agency, appointed by the minority leader of the Senate;
314 (6) one public school administrator, appointed by the speaker of the
315 House of Representatives; (7) one visually impaired public high school
316 student who reads and writes braille, appointed by the majority leader
317 of the House of Representatives; (8) one representative of the
318 Connecticut Council of the Blind, appointed by the minority leader of
319 the House of Representatives; and (9) one parent of a visually impaired
320 child of school age enrolled in a public school, appointed by the
321 Governor.

322 Sec. 18. Section 10-295 of the general statutes is repealed and the
323 following is substituted in lieu thereof (*Effective July 1, 2003*):

324 (a) All residents of this state, regardless of age, who, because of
325 blindness or impaired vision, require special educational programs, on
326 the signed recommendation of the [director of the Board of Education
327 and Services for the Blind] Commissioner of Education, shall be
328 entitled to receive such instruction and for such length of time as is
329 deemed expedient by said [director] commissioner. The [director]
330 commissioner shall annually submit to the board the list of names of
331 persons so recommended. Upon the petition of any parent or guardian

332 of a blind educable child or a child with impaired vision, a local board
333 of education may provide such instruction within the town or it may
334 provide for such instruction by agreement with other towns as
335 provided in subsection (d) of section 10-76d. The expense of such
336 instruction shall be paid by the state to an amount not exceeding six
337 thousand four hundred dollars for each of such persons in any one
338 state fiscal year. When the parents or guardians of any such blind
339 person or person with impaired vision are not able to provide clothing
340 for such person, an additional sum not to exceed one hundred dollars
341 per year may be allowed for such expenses. Where a local or regional
342 board of education reimburses parents or legal guardians of a blind or
343 visually impaired child for transportation to and from a specialized
344 residential facility serving the blind, such board shall be reimbursed by
345 the state for such validated actual cost up to a maximum of three
346 hundred dollars per pupil per school year. Determination of
347 reimbursable transportation costs and payment therefor shall be the
348 responsibility of the [State Board of Education and Services for the
349 Blind] Department of Education. All educational privileges prescribed
350 in part V of chapter 164, not inconsistent with the provisions of this
351 chapter, shall apply to the pupils covered by this subsection. The
352 [Board of Education and Services for the Blind] Department of
353 Education may provide any of the educational services described in
354 this section to a child whose vision may be greater than as defined in
355 section 10-294a upon written referral by the local or regional board of
356 education responsible for providing special education and related
357 services pursuant to section 10-76d. A request from a local or regional
358 board of education for reimbursement of such expenses to the [Board
359 of Education and Services for the Blind] Department of Education shall
360 not be eligible for such reimbursement unless such request is received
361 by the first of June for such expenses incurred during the preceding
362 first of July through the thirty-first of December and by the first of
363 December for expenses incurred during the preceding first of January
364 through the thirtieth of June.

365 (b) Said [board] department may expend funds up to eleven

366 thousand dollars per fiscal year per child for the purpose of sending
367 children who are both blind or visually impaired and deaf, or blind or
368 visually impaired with other severe physical handicaps, to specialized
369 facilities within or outside the state furnishing proper facilities for
370 education of such children; provided blind children or children with
371 visual impairment who are mentally retarded or emotionally
372 maladjusted who can reasonably profit by special training, facilities
373 and services may be included in the provisions of this section. Such
374 funds may be spent outside the state for room, board, tuition and other
375 items necessarily relevant to the education of such children. Said
376 [board] department may determine if such children should be sent to
377 such out-of-state places and may promulgate such regulations as it
378 deems necessary to carry out the purpose and intent of this subsection.
379 To be eligible for aid under this subsection, the child and either of such
380 child's parents or guardian shall be bona fide residents of this state.

381 (c) The [Board of Education and Services for the Blind] Department
382 of Education may provide for the instruction of the adult blind in their
383 homes, expending annually for this purpose such sums as the General
384 Assembly may appropriate.

385 (d) The [Board of Education and Services for the Blind] Department
386 of Education may expend up to ten thousand dollars per fiscal year per
387 person twenty-one years of age or over who is both blind or visually
388 impaired and deaf for the purpose of sending such person to a
389 specialized public or private facility within the state furnishing
390 programs from which such person can profit. Said [board] department
391 may determine the criteria by which a person is sent to a specialized
392 public or private facility and may adopt regulations necessary to carry
393 out the provisions of this subsection.

394 (e) The [Board of Education and Services for the Blind] Department
395 of Education may, within available appropriations, purchase adaptive
396 equipment for persons receiving services pursuant to this chapter. The
397 cost of such purchases shall not exceed, and shall be included in, the

398 maximum amount authorized for instructional expenses under
399 subsection (a) of this section.

400 Sec. 19. Section 10-296 of the general statutes is repealed and the
401 following is substituted in lieu thereof (*Effective July 1, 2003*):

402 The [director] Commissioner of Education may, within the
403 expenditure therefor provided in section 10-295, contract with public
404 or private institutions, individuals or private enterprises having
405 facilities for the instruction of the blind, for the education, board and
406 keep of blind persons who are bona fide residents of this state found
407 by the [director] commissioner to be fitted for such instruction. Said
408 [director] commissioner may compel attendance of any blind child,
409 until such child attains the age of sixteen years, at an institution
410 providing instruction as defined in this section; and, if the parents or
411 guardians of such child do not assent thereto, on the application of the
412 [director] commissioner, the court of probate of the district wherein
413 such child resides shall, after investigation and after reasonable notice
414 to the parents or guardians of such child of the time and place of
415 hearing upon such application, inquire further into the facts and, if
416 such court finds action warranted, it shall issue an order as to the
417 attendance of such child at a school or an institution deemed most
418 suitable for his instruction.

419 Sec. 20. Section 10-297 of the general statutes is repealed and the
420 following is substituted in lieu thereof (*Effective July 1, 2003*):

421 The [director] Commissioner of Social Services is authorized to aid
422 in securing employment for capable blind or partially blind persons in
423 industrial and mercantile establishments and in other positions which
424 offer financial returns. Said [director] commissioner may aid needy
425 blind persons in such way as said [director] commissioner deems
426 expedient, expending for such purpose such sum as the General
427 Assembly appropriates, provided the maximum expenditure for any
428 one person shall not exceed the sum of nine hundred and sixty dollars
429 in a fiscal year, but, if said maximum amount is insufficient to furnish

430 necessary medical or hospital treatment to a beneficiary, said [director]
431 commissioner may authorize payment of such additional costs as [he]
432 the commissioner deems necessary and reasonable.

433 Sec. 21. Section 10-297a of the general statutes is repealed and the
434 following is substituted in lieu thereof (*Effective July 1, 2003*):

435 The [executive director of the Board of Education and Services for
436 the Blind] Department of Social Services may make grants, within
437 available appropriations, to the Connecticut Radio Information
438 Service, Inc., for the purchase of receivers and for costs related to the
439 operation of said service.

440 Sec. 22. Section 10-300a of the general statutes is repealed and the
441 following is substituted in lieu thereof (*Effective July 1, 2003*):

442 (a) No goods, wares or merchandise shall be labeled, designated or
443 represented as having been manufactured or produced in whole or in
444 part by any blind person or by any public or private institute, agency
445 or corporation serving the blind unless at least seventy-five per cent of
446 the total hours of labor performed on such goods, wares or
447 merchandise shall have been rendered by a blind person, as defined in
448 section 10-294a. Any person, institute, agency or nonprofit corporation
449 which so manufactures or produces such goods shall register annually,
450 on July first, with the [board of education and services for the blind]
451 Department of Social Services and may affix or cause to be affixed to
452 such goods a stamp or label which identifies such goods as the
453 products of blind persons.

454 (b) The [Board of Education and Services for the Blind] Department
455 of Social Services shall adopt regulations pursuant to the provisions of
456 chapter 54 to carry out the provisions of this section.

457 (c) Any person, institute, agency or nonprofit corporation which
458 violates any of the provisions of this section shall be fined not more
459 than one hundred dollars for each violation.

460 Sec. 23. Section 10-303 of the general statutes is repealed and the
461 following is substituted in lieu thereof (*Effective July 1, 2003*):

462 (a) The authority in charge of any building or property owned,
463 operated or leased by the state or any municipality therein shall grant
464 to the [Board of Education and Services for the Blind] Department of
465 Social Services a permit to operate in such building or on such
466 property a food service facility, a vending machine or a stand for the
467 vending of newspapers, periodicals, confections, tobacco products,
468 food and such other articles as such authority approves when, in the
469 opinion of such authority, such facility, machine or stand is desirable
470 in such location. Any person operating such a stand in any such
471 location on October 1, 1945, shall be permitted to continue such
472 operation, but upon such person's ceasing such operation such
473 authority shall grant a permit for continued operation to the [Board of
474 Education and Services for the Blind] Department of Social Services.
475 Said [board] department may establish a training facility at any such
476 location.

477 (b) Pursuant to the Randolph-Sheppard Vending Stand Act, 49 Stat.
478 1559 (1936), 20 USC 107, as amended from time to time, the [Board of
479 Education and Services for the Blind] Department of Social Services is
480 authorized to maintain a nonlapsing account and to accrue interest
481 thereon for federal vending machine income which, in accordance with
482 federal regulations, shall be used for the payment of fringe benefits to
483 the vending facility operators by the [Board of Education and Services
484 for the Blind] department.

485 (c) The [Board of Education and Services for the Blind] Department
486 of Social Services may maintain a nonlapsing account and accrue
487 interest thereon for state and local vending machine income which
488 shall be used for the payment of fringe benefits, training and support
489 to vending facilities operators, and to provide entrepreneurial and
490 independent-living training and equipment to children who are blind
491 or visually impaired and adults who are blind.

492 (d) The [Board of Education and Services for the Blind] Department
493 of Social Services may disburse state and local vending machine
494 income to student or client activity funds, as defined in section 4-52.

495 Sec. 24. Section 10-304 of the general statutes is repealed and the
496 following is substituted in lieu thereof (*Effective July 1, 2003*):

497 The sales and service account for the [Board of Education and
498 Services for the Blind] Department of Social Services shall be
499 established as a separate account within the General Fund for the
500 purpose of aiding the blind by providing sales and service
501 opportunities. Any money received by the [board] department from
502 refunds for materials advanced for manufacture by the blind, and from
503 the sales of articles or goods manufactured by the blind, and from the
504 sale of other articles or goods, or from sales held to assist the blind,
505 shall be deposited in the General Fund and credited to the account.
506 Payments shall be made from the account for labor or services
507 rendered in connection with the manufacture of articles for resale, for
508 the purchase of materials used in such manufacture, for the purchase
509 of merchandise for resale and for labor, supplies and other operating
510 expenses connected with the operation of vending stands and sales
511 and service opportunities. Bills contracted by the [Board of Education
512 and Services for the Blind] Department of Social Services for the
513 purposes specified in this section shall be paid by order of the
514 Comptroller against the account in the manner provided by law for the
515 payment of all claims against the state. At the end of each fiscal year,
516 any surplus as of June thirtieth determined by including cash, accounts
517 receivable and inventories less accounts payable over the sum of three
518 hundred thousand dollars derived from sales of manufactured goods
519 or articles or other sales, in excess of such cost of labor or services,
520 materials, merchandise, supplies and other such operating expenses,
521 shall revert to the General Fund of the state.

522 Sec. 25. Section 10-305 of the general statutes is repealed and the
523 following is substituted in lieu thereof (*Effective July 1, 2003*):

524 Each physician and optometrist shall report in writing to the [Board
525 of Education and Services for the Blind] Department of Social Services
526 within thirty days each blind person coming under his or her private
527 or institutional care within this state. The report of such blind person
528 shall include the name, address, Social Security number, date of birth,
529 date of diagnosis of blindness and degree of vision. Such reports shall
530 not be open to public inspection.

531 Sec. 26. Section 10-306 of the general statutes is repealed and the
532 following is substituted in lieu thereof (*Effective July 1, 2003*):

533 The [Board of Education and Services for the Blind] Department of
534 Social Services may maintain a rehabilitation service for the vocational
535 rehabilitation and placement in remunerative employment of persons
536 whose capacity to earn a living has been lost or impaired by reason of
537 lessened visual acuity. For the purpose of this section and sections 10-
538 307 and 10-308: "Vocational rehabilitation" means any services,
539 provided directly or through public or private instrumentalities, found
540 to be necessary to compensate a person whose visual acuity has been
541 impaired for his or her employment handicap and to enable such
542 person to engage in a remunerative occupation, including, but not
543 limited to, medical and vocational diagnosis, vocational guidance,
544 counseling and placement, rehabilitation training, physical restoration,
545 transportation, occupational licenses, customary occupational tools
546 and equipment, maintenance and training books and materials;
547 "rehabilitation training" means all necessary training provided for a
548 person whose visual acuity has been impaired to compensate for his or
549 her employment handicap, including, but not limited to, manual,
550 preconditioning, prevocational, vocational and supplementary training
551 and training provided for the purpose of achieving broader and more
552 remunerative skills and capacity; and "physical restoration" means any
553 medical, surgical or therapeutic treatment necessary to correct or
554 substantially reduce within a reasonable length of time the
555 employment handicap of a person whose visual acuity has been
556 impaired, including, but not limited to, medical, psychiatric, dental

557 and surgical treatment, nursing service, hospital care, convalescent
558 home care, drugs, medical and surgical supplies and prosthetic
559 appliances, but excluding curative treatment for acute or transitory
560 conditions.

561 Sec. 27. Section 10-307 of the general statutes is repealed and the
562 following is substituted in lieu thereof (*Effective July 1, 2003*):

563 The [Board of Education and Services for the Blind] Department of
564 Social Services is empowered to receive any federal funds made
565 available to this state under which vocational rehabilitation is
566 provided for a person whose visual acuity has been impaired and to
567 expend such funds for the purpose or purposes for which they are
568 made available. The State Treasurer shall be the custodian of such
569 funds.

570 Sec. 28. Section 10-308 of the general statutes is repealed and the
571 following is substituted in lieu thereof (*Effective July 1, 2003*):

572 The [Board of Education and Services for the Blind] Department of
573 Social Services may cooperate, pursuant to agreements, with the
574 federal government in carrying out the purposes of any federal
575 statutes pertaining to vocational rehabilitation, and is authorized to
576 adopt such methods of administration as are found by the federal
577 government to be necessary for the proper and efficient operation of
578 such agreements or plans for vocational rehabilitation and to comply
579 with such conditions as may be necessary to secure the full benefits of
580 such federal statutes.

581 Sec. 29. Section 10-308a of the general statutes is repealed and the
582 following is substituted in lieu thereof (*Effective July 1, 2003*):

583 The [Board of Education and Services for the Blind] Department of
584 Social Services shall adopt regulations, in accordance with chapter 54,
585 to determine the order to be followed in selecting those eligible
586 persons to whom vocational rehabilitation services will be provided, in

587 accordance with federal regulations.

588 Sec. 30. Section 10-309 of the general statutes is repealed and the
589 following is substituted in lieu thereof (*Effective July 1, 2003*):

590 The [Board of Education and Services for the Blind] Department of
591 Social Services may place in remunerative occupations persons whose
592 capacity to earn a living has been lost or impaired by lessened visual
593 acuity and who, in the opinion of the [board] department, are
594 susceptible of placement, and may make such regulations as are
595 necessary for the administration of the provisions of sections 10-306 to
596 [10-310] 10-309, inclusive.

597 Sec. 31. Section 10-311a of the general statutes is repealed and the
598 following is substituted in lieu thereof (*Effective July 1, 2003*):

599 The case records of the [Board of Education and Services for the
600 Blind] Department of Social Services maintained for the purposes of
601 this chapter shall be confidential and the names and addresses of
602 recipients of assistance under this chapter shall not be published nor
603 used for purposes not directly connected with the administration of
604 this chapter, except as necessary to carry out the provisions of section
605 17b-6.

606 Sec. 32. Section 16-256b of the general statutes is repealed and the
607 following is substituted in lieu thereof (*Effective July 1, 2003*):

608 (a) Each telephone company and each certified telecommunications
609 provider that makes equipment available to customers shall make
610 special telecommunications equipment capable of serving the needs of
611 deaf and hearing and speech impaired persons available for rental or
612 purchase and be responsible for the maintenance and repair of any
613 such equipment it leases or sells.

614 (b) (1) Each domestic telephone company having at least one
615 hundred thousand customers shall pay into a Special
616 Telecommunications Equipment Fund twenty thousand dollars not

617 later than July 1, 1992. The fund shall be administered by the
618 [Commission on the Deaf and Hearing Impaired] Department of Social
619 Services. The Department of Public Utility Control shall include all
620 payments made by a company into said fund as operating expenses of
621 the company for purposes of rate-making under section 16-19.

622 (2) Except for the funding specified in subdivision (1) of this
623 subsection, the [State Commission on the Deaf and Hearing Impaired]
624 Department of Social Services may draw on funds obtained through
625 agreements between the state and domestic telephone companies in
626 accordance with a plan developed, after notice and hearing, by the
627 [commission] department not later than January first, annually, and
628 approved by the joint standing committee of the General Assembly
629 having cognizance of matters relating to public utilities. The plan shall
630 provide for the distribution of moneys from the funds to deaf and
631 hearing and speech impaired persons for the purchase, upgrading,
632 rental, maintenance and repair of special telecommunications
633 equipment capable of serving the needs of such persons or to vendors
634 providing such equipment or servicing. The plan may also provide for
635 the distribution of moneys from the funds for the provision of message
636 relay services for persons using telecommunication devices for the
637 deaf, upon a determination by the [commission] department that such
638 moneys are needed to ensure that such services are made available to
639 such persons and that there are adequate moneys in the funds for
640 special telecommunications equipment purposes. The plan shall
641 provide that not more than ten per cent of the moneys annually paid
642 into the fund shall be allocated to the [commission] department to
643 carry out its administrative responsibilities under this subdivision and
644 not more than five per cent of the moneys annually paid by a
645 telephone company into the fund shall be allocated to such corporation
646 to carry out its responsibilities under subdivision (1) of this subsection.
647 All moneys allocated to the [commission] department shall be paid to
648 the State Treasurer for deposit in the General Fund.

649 (3) The [Commission on the Deaf and Hearing Impaired]

650 Department of Social Services shall, not later than March first,
651 annually, submit a written financial report on the fund it administers
652 under subdivision (2) of this section to the General Assembly and the
653 Auditors of Public Accounts. Such report shall include a balance sheet
654 and income and expense statement for the preceding calendar year,
655 clearly setting forth the fund's income and expenses and all amounts
656 spent for the direct purpose of the fund.

657 (c) (1) Each telephone company and each certified
658 telecommunications provider shall, in consultation with the
659 [Commission on the Deaf and Hearing Impaired] Department of Social
660 Services, prepare and submit to the Department of Public Utility
661 Control and the joint standing committee of the General Assembly
662 having cognizance of matters relating to public utilities a plan which
663 shall provide that, to the extent possible, (A) not less than eighty per
664 cent of the coin and coinless telephones installed for public use by the
665 telephone company or certified telecommunications provider shall be
666 equipped, not later than July 1, 1995, with controls for the
667 amplification of incoming transmissions and not less than eighty per
668 cent of the coin and coinless telephones installed for public use by the
669 telephone company or certified telecommunications provider after July
670 1, 1995, shall be equipped with such controls, and (B) not less than fifty
671 per cent of the coin and coinless telephones installed for semipublic
672 use by the telephone company or certified telecommunications
673 provider pursuant to tariffs shall be equipped, not later than July 1,
674 1995, with such controls and not less than fifty per cent of the coin and
675 coinless telephones installed for semipublic use by the telephone
676 company or certified telecommunications provider pursuant to tariffs
677 after July 1, 1995, shall be equipped with such controls.

678 (2) Not later than July first, annually, each such telephone company
679 and each such certified telecommunications provider shall submit a
680 report to said [commission] department, department and joint
681 standing committee on the implementation of the plan prepared under
682 subdivision (1) of this subsection, provided, if a telephone company or

683 a certified telecommunications provider documents in any such report
684 that it has fully complied with the provisions of subdivision (1) of this
685 subsection, it shall not be required to submit additional annual reports.

686 (3) The cost of compliance with the provisions of this subsection
687 shall be recoverable from ratepayers through the overall rate structure
688 approved by the Department of Public Utility Control.

689 (d) Not less than eighty per cent of the coin and coinless telephones
690 installed for public use on or after July 1, 1993, by any person, other
691 than a telephone company or a certified telecommunications provider
692 shall be equipped with such amplification controls at the time the
693 telephones are installed.

694 Sec. 33. Subdivision (9) of section 17a-248 of the general statutes is
695 repealed and the following is substituted in lieu thereof (*Effective July*
696 *1, 2003*):

697 (9) "Participating agencies" includes, but is not limited to, the
698 Departments of Education, Social Services, Public Health, Children
699 and Families and Mental Retardation, the Insurance Department [, the
700 Board of Education and Services for the Blind, the Commission on the
701 Deaf and Hearing Impaired] and the Office of Protection and
702 Advocacy for Persons with Disabilities.

703 Sec. 34. Section 17b-656 of the general statutes is repealed and the
704 following is substituted in lieu thereof (*Effective July 1, 2003*):

705 Whenever any products made or manufactured by or services
706 provided by persons with disabilities through community
707 rehabilitation programs described in subsection (b) of section 17b-655
708 or in any workshop established, operated or funded by nonprofit and
709 nonsectarian organizations for the purpose of providing persons with
710 disabilities training and employment suited to their abilities meet the
711 requirements of any department, institution or agency supported in
712 whole or in part by the state as to quantity, quality and price such

713 products shall have preference over products or services from other
714 providers, except [(1) articles produced or manufactured by blind
715 persons under the direction or supervision of the Board of Education
716 and Services for the Blind as provided in section 10-298a, (2)] (1)
717 articles produced or manufactured by Department of Correction
718 industries as provided in section 18-88₂ and [(3)] (2) emergency
719 purchases made under section 4-98. All departments, institutions and
720 agencies supported in whole or in part by the state shall purchase such
721 articles made or manufactured and services provided by persons with
722 disabilities from the Bureau of Rehabilitation Services of the
723 Department of Social Services. Any political subdivision of the state
724 may purchase such articles and services through the Bureau of
725 Rehabilitation Services of the Department of Social Services. A list
726 describing styles, designs, sizes and varieties of all such articles made
727 by persons with disabilities and describing all available services
728 provided by such persons shall be prepared by the Connecticut
729 Association of Rehabilitation Facilities. [The Bureau of Rehabilitation
730 Services of the Department of Social Services shall cooperate with the
731 State Board of Education and Services for the Blind by submitting
732 necessary information concerning such products and services to the
733 Board of Education and Services for the Blind at frequent intervals.]

734 Sec. 35. Section 26-29 of the general statutes is repealed and the
735 following is substituted in lieu thereof (*Effective July 1, 2003*):

736 No fee shall be charged for any sport fishing license issued under
737 this chapter to any blind person. Proof of such blindness shall be
738 furnished, in the case of a veteran, by the United States Veterans'
739 Administration and, in the case of any other person, by the [State
740 Board of Education of the Blind] Department of Social Services. For the
741 purpose of this section, a person shall be blind only if his central visual
742 acuity does not exceed 20/200 in the better eye with correcting lenses,
743 or if his visual acuity is greater than 20/200 but is accompanied by a
744 limitation in the fields of vision such that the widest diameter of the
745 visual field subtends an angle no greater than twenty degrees.

746 Sec. 36. Subsection (b) of section 46a-33a of the general statutes is
747 repealed and the following is substituted in lieu thereof (*Effective July*
748 *1, 2003*):

749 (b) Commencing October 1, 1998, and annually thereafter, all
750 persons providing interpreting services shall register with the
751 [Commission on the Deaf and Hearing Impaired] Department of Social
752 Services. Such registration shall be on a form prescribed or furnished
753 by the [commission] department and shall include the registrant's
754 name, address, phone number, place of employment as interpreter and
755 interpreter certification or credentials. Commencing July 1, 2001, and
756 annually thereafter, the [commission] department shall issue
757 identification cards for those who register in accordance with this
758 section.

759 Sec. 37. Section 46a-33b of the general statutes is repealed and the
760 following is substituted in lieu thereof (*Effective July 1, 2003*):

761 Upon the request of any person or any public or private entity, the
762 [Commission on the Deaf and Hearing Impaired] Department of Social
763 Services shall provide interpreting services to assist such person or
764 entity to the extent such persons who provide interpreting services are
765 available. Any person or entity receiving interpreting services through
766 the [commission] department shall reimburse the [commission]
767 department for such services at a rate set by the [commission]
768 department. The [commission] department shall adopt regulations, in
769 accordance with the provisions of chapter 54, to establish the manner
770 of rate setting.

771 Sec. 38. Subsection (d) of section 51-245 of the general statutes is
772 repealed and the following is substituted in lieu thereof (*Effective July*
773 *1, 2003*):

774 (d) Notwithstanding the provisions of subsections (a) and (b) of this
775 section, if any juror is deaf or hearing impaired, such juror shall have
776 the assistance of a qualified interpreter who shall be present

777 throughout the proceeding and when the jury assembles for
778 deliberation. Such interpreter shall be provided by the [Commission
779 on the Deaf and Hearing Impaired] Department of Social Services at
780 the request of the juror or the court. Such interpreter shall be subject to
781 rules adopted pursuant to section 51-245a.

782 Sec. 39. Subsection (a) of section 4-124w of the general statutes is
783 repealed and the following is substituted in lieu thereof (*Effective July*
784 *1, 2003*):

785 (a) There is established an Office of Workforce Competitiveness
786 which shall be within the [Office of Policy and Management, for
787 administrative purposes only] Department of Economic and
788 Community Development.

789 Sec. 40. Subsection (a) of section 31-3h of the general statutes is
790 repealed and the following is substituted in lieu thereof (*Effective July*
791 *1, 2003*):

792 (a) There is created [, within the Office of Workforce
793 Competitiveness established under section 4-124w,] the Connecticut
794 Employment and Training Commission. The Office of Workforce
795 Competitiveness, within the Department of Economic and Community
796 Development, shall provide such staff and other support as necessary
797 for the commission to carry out the duties and responsibilities under
798 this section.

799 Sec. 41. Subsection (a) of section 31-11aa of the general statutes is
800 repealed and the following is substituted in lieu thereof (*Effective July*
801 *1, 2003*):

802 (a) The Connecticut Employment and Training Commission [within
803 the Office of Workforce Competitiveness] shall produce, within
804 available appropriations, a report on information technology
805 workforce development, including a long-range strategic plan, that
806 addresses Connecticut's workforce and research needs as they relate to

807 information technology and electronic commerce. The commission
808 shall work with the Commissioners of Economic and Community
809 Development, Education and Higher Education and any business-
810 related association or organization that the commission deems
811 appropriate in creating a planning structure, no later than July 5, 2000,
812 to develop the plan. The planning structure shall include
813 representation from the Connecticut Employment and Training
814 Commission, the General Assembly, the Departments of Education,
815 Higher Education and Economic and Community Development,
816 Connecticut Innovations, Incorporated, information technology and
817 software companies, the Connecticut Business and Industry
818 Association, the Connecticut Economic Resource Center, the
819 Connecticut Technology Council, The University of Connecticut, the
820 Connecticut State University system, the community-technical
821 colleges, Charter Oak State College, the Connecticut Distance Learning
822 Consortium, the Connecticut Conference of Independent Colleges and
823 any other representatives including regional and state-wide business
824 and technology associations the Connecticut Employment and
825 Training Commission and commissioners deem necessary.

826 Sec. 42. (NEW) (*Effective July 1, 2003*): (a) There is established a
827 Department of Consumer Protection and Agriculture. The department
828 head shall be the Commissioner of Consumer Protection and
829 Agriculture, who shall be appointed by the Governor in accordance
830 with the provisions of sections 4-5 to 4-8, inclusive, of the general
831 statutes, with the powers and duties therein prescribed.

832 (b) The Department of Consumer Protection and Agriculture shall
833 constitute a successor department to the Department of Consumer
834 Protection and the Department on Agriculture in accordance with the
835 provisions of sections 4-38d, 4-38e and 4-39 of the general statutes.

836 (c) Wherever the words "Commissioner of Consumer Protection" are
837 used or referred to in the following sections of the general statutes, the
838 words "Commissioner of Consumer Protection and Agriculture" shall

839 be substituted in lieu thereof: 4-5, 10-154a, 10-217d, 10-217g, 14-286d,
840 14-318, 14-327a, 14-329, 14-331, 14-344c, 16a-14b, 16a-15, 16a-15a, 16a-
841 23a, 16a-23m, 16a-23o, 16a-23p, 16a-23q, 16a-48, 20-14f, 20-14g, 20-289,
842 20-291, 20-294, 20-298b, 20-300, 20-300b, 20-304, 20-304a, 20-306b, 20-
843 307a, 20-312, 20-314, 20-314a, 20-319, 20-321, 20-324i, 20-325d, 20-325j,
844 20-327b, 20-328, 20-329b, 20-329m, 20-329q, 20-329t, 20-329v, 20-329w,
845 20-329z, 20-332, 20-332a, 20-333, 20-333a, 20-334, 20-334d, 20-341s, 20-
846 341gg, 20-344, 20-346, 20-353, 20-354, 20-357m, 20-368, 20-370, 20-373,
847 20-374, 20-377k, 20-417a, 20-417aa, 20-419, 20-490, 20-504, 20-510, 20-
848 511, 20-512, 20-515, 20-517, 20-519, 20-540, 20-554, 20-556, 20-557, 20-
849 571, 20-574, 20-577, 20-631, 20-635, 20-653, 20-654, 21-28, 21-31, 21-32,
850 21-33, 21-33a, 21-33b, 21-35b, 21-35c, 21-35i, 21-68, 21-70, 21-70a, 21-71,
851 21-73, 21-75, 21-78, 21-84, 21a-1, 21a-3, 21a-4, 21a-5, 21a-7, 21a-8, 21a-8a,
852 21a-9, 21a-10, 21a-11, 21a-12, 21a-12a, 21a-13, 21a-22, 21a-27, 21a-32,
853 21a-34, 21a-36, 21a-49, 21a-50, 21a-51, 21a-52, 21a-53, 21a-54, 21a-55,
854 21a-57, 21a-58, 21a-61, 21a-66, 21a-69, 21a-70, 21a-70b, 21a-71, 21a-73,
855 21a-79, 21a-79a, 21a-84, 21a-86a, 21a-86b, 21a-86c, 21a-86d, 21a-86f, 21a-
856 86g, 21a-92, 21a-115, 21a-136, 21a-144, 21a-146, 21a-148, 21a-150, 21a-
857 150j, 21a-152, 21a-155, 21a-158, 21a-159, 21a-190a, 21a-195a, 21a-196,
858 21a-221, 21a-223, 21a-224, 21a-226, 21a-231, 21a-240, 21a-243, 21a-244,
859 21a-244a, 21a-246, 21a-251, 21a-252, 21a-253, 21a-254, 21a-261, 21a-262,
860 21a-263, 21a-266, 21a-272, 21a-273, 21a-275, 21a-276, 21a-283, 21a-317,
861 21a-318, 21a-319, 21a-321, 21a-324, 21a-326, 21a-328, 21a-335, 21a-337,
862 21a-376, 21a-401, 21a-405, 22-39f, 22-41, 22-42, 22-45, 22-48, 22-127, 22-
863 141, 22-272a, 22-313, 23-26d, 23-26f, 25-128, 25-129, 25-133, 29-276b, 29-
864 318c, 30-2, 30-8, 31-275, 42-103c, 42-103l, 42-103m, 42-110a, 42-110g, 42-
865 110u, 42-115g, 42-115m, 42-115s, 42-115t, 42-115u, 42-144, 42-179b, 42-
866 181, 42-183, 42-216, 42-231, 42-233, 42-288a, 42-295, 42-334, 42-335, 42-
867 370, 42-427, 42-430, 42-431, 43-3, 43-9, 43-16q, 43-20, 43-27, 43-47, 43-48,
868 43-50, 43-51, 47a-14h, 54-36a and 54-36g.

869 (d) Wherever the words "Department of Consumer Protection" are
870 used or referred to in the following sections of the general statutes, the
871 words "Department of Consumer Protection and Agriculture" shall be
872 substituted in lieu thereof: 1-84, 1-84b, 4-38c, 5-142, 5-238b, 12-450, 12-

873 453, 14-327b, 16-245u, 16a-15, 16a-23m, 16a-23p, 17b-363a, 18-81q, 19a-
874 19, 20-127, 20-196c, 20-289, 20-291, 20-296, 20-299, 20-300, 20-300b, 20-
875 301, 20-304, 20-305, 20-306, 20-306a, 20-306b, 20-307, 20-307a, 20-308,
876 20-311a, 20-311b, 20-314, 20-316, 20-318, 20-319, 20-320, 20-320a, 20-
877 327a, 20-329e, 20-329x, 20-331, 20-333, 20-334, 20-334a, 20-335, 20-338,
878 20-340a, 20-340b, 20-341gg, 20-344, 20-349, 20-350, 20-351, 20-353, 20-
879 357m, 20-368, 20-370, 20-372, 20-373, 20-417d, 20-417j, 20-417aa, 20-450,
880 20-490, 20-490a, 20-502, 20-503, 20-509, 20-510, 20-514, 20-516, 20-517,
881 20-518, 20-525, 20-528, 20-540, 20-554, 20-571, 20-590, 20-635, 20-651, 20-
882 654, 21-28, 21-64, 21-67a, 21-70, 21-79, 21-83e, 21-84a, 21a-1, 21a-2, 21a-
883 4, 21a-6, 21a-7, 21a-8, 21a-8a, 21a-9, 21a-10, 21a-63, 21a-72, 21a-92a, 21a-
884 150d, 21a-190a, 21a-195a, 21a-223, 21a-227, 21a-231, 21a-240, 21a-249,
885 21a-252, 21a-260, 21a-335, 22-44, 22-131a, 25-129, 25-130, 29-263, 30-1,
886 30-4, 30-5, 30-6, 30-6a, 30-7, 30-8, 30-13a, 30-14, 30-14a, 30-15, 30-16, 30-
887 17, 30-17b, 30-18a, 30-20, 30-20a, 30-22, 30-22a, 30-23a, 30-23b, 30-24, 30-
888 24b, 30-25, 30-25a, 30-30, 30-31, 30-32, 30-33, 30-33a, 30-35, 30-35b, 30-
889 36, 30-37, 30-37f, 30-37i, 30-37j, 30-38, 30-39, 30-42a, 30-43, 30-44, 30-45,
890 30-46, 30-47, 30-51, 30-52, 30-53, 30-55, 30-55a, 30-57, 30-58, 30-58a, 30-
891 58b, 30-59, 30-60, 30-62, 30-62a, 30-63, 30-64, 30-64a, 30-64b, 30-66, 30-
892 67, 30-68, 30-76, 30-77, 30-78, 30-82, 30-86a, 30-92a, 30-95, 30-106, 30-
893 111, 42-103c, 42-110g, 42-181, 42-190, 42-288a, 43-3, 43-49, 43-50, 52-560
894 and 52-571d.

895 (e) Wherever the words "Commissioner of Agriculture" are used or
896 referred to in the following sections of the general statutes,
897 "Commissioner of Consumer Protection and Agriculture" shall be
898 substituted in lieu thereof: 3-20, 4-5, 4-186, 4b-3, 10a-103, 12-2b, 12-81,
899 12-91, 12-107c, 12-107e, 12-107f, 14-21h, 19a-102a, 19a-341, 20-196a, 22-
900 1, 22-3, 22-4, 22-4a, 22-4b, 22-4c, 22-4d, 22-6, 22-6a, 22-6b, 22-6c, 22-6d,
901 22-6f, 22-6g, 22-6h, 22-6q, 22-7, 22-7p, 22-7q, 22-8, 22-11e, 22-11g, 22-
902 11h, 22-12a, 22-12b, 22-26c, 22-26e, 22-26g, 22-26h, 22-26i, 22-26bb, 22-
903 26cc, 22-26dd, 22-26jj, 22-26kk, 22-27, 22-28, 22-31, 22-33, 22-34, 22-35,
904 22-37, 22-37, 22-38, 22-38a, 22-39, 22-39b, 22-39d, 22-39e, 22-39f, 22-41,
905 22-42, 22-45, 22-48a, 22-51, 22-53, 22-54o, 22-54p, 22-54r, 22-56, 22-57,
906 22-59, 22-60, 22-63, 22-79, 22-111b, 22-111aa, 22-111ll, 22-111mm, 22-

111tt, 22-111vv, 22-118k, 22-118l, 22-118m, 22-118n, 22-118o, 22-118q,
 22-118r, 22-118s, 22-118t, 22-120a, 22-126a, 22-127, 22-128a, 22-129, 22-
 129a, 22-130, 22-131, 22-141, 22-160, 22-162a, 22-172, 22-173, 22-182a, 22-
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 280, 22-284, 22-286, 22-287, 22-288, 22-288a, 22-289, 22-290, 22-291, 22-
 293, 22-295, 22-296, 22-298, 22-299a, 22-301, 22-303, 22-304, 22-306, 22-
 307, 22-308, 22-311, 22-313, 22-316, 22-318, 22-318a, 22-319, 22-320a, 22-
 321, 22-322, 22-323a, 22-323b, 22-324, 22-324a, 22-325, 22-326c, 22-326d,
 22-326e, 22-326f, 22-327, 22-344c, 22-344d, 22-347, 22-348, 22-380e, 22-
 380g, 22-381, 22-414, 22-415, 22-415a, 22-415i, 22-415j, 22-456, 22a-65,
 22a-285a, 22a-354m, 22a-354bb, 22a-616, 25-204, 25-207, 25-234, 25-237,
 26-40a, 26-149, 26-192, 26-192e, 26-192j, 26-193, 26-194, 26-194a, 26-195,
 26-196, 26-198, 26-199, 26-200, 26-201, 26-202, 26-203, 26-204, 22-206, 22-
 607, 22-608, 22-609, 22-210, 26-211, 26-212, 26-213, 26-215, 26-216, 26-
 219, 26-220, 26-224a, 26-227, 26-229, 26-230, 26-232, 26-234b, 26-235, 26-
 236, 26-237b, 26-237c, 26-257, 26-257a, 26-266, 32-301 and 45a-322.

(f) Wherever the words "Department of Agriculture" are used or
 referred to in the following sections of the general statutes,
 "Department of Consumer Protection and Agriculture" shall be
 substituted in lieu thereof: 4-38c, 4b-51, 7-131q, 7-380c, 8-2b, 12-412e,
 13a-142a, 17a-471b, 17a-471c, 17b-97, 20-196, 21a-92a, 21a-401, 22-1, 22-
 1c, 22-4b, 22-6, 22-6a, 22-6b, 22-6d, 22-6g, 22-6h, 22-1d, 22-11e, 22-11f,
 22-11h, 22-12b, 22-26c, 22-26d, 22-26e, 22-26f, 22-26i, 22-26bb, 22-26cc,
 22-36, 22-51, 22-59, 22-63, 22-63a, 22-79, 22-81, 22-84, 22-90, 22-98, 22-
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 303, 22-304, 22-306, 22-313, 22-318b, 22-320a, 22-326c, 22-332a, 22-344d,
 22-359b, 22-386, 22-388, 22-410, 22-411, 22-412, 22-415a, 22-455, 22-456,
 22a-38, 22-319, 25-157a, 26-72, 26-142a, 26-192a, 26-192b, 26-192c, 26-
 192e, 26-192f, 26-192h, 26-224a, 26-237a, 30-68 and 36b-21.

940 (g) If the term "Department of Consumer Protection" or
941 "Department of Agriculture" is used or referred to in any public or
942 special act of 2003 or 2004, or in any section of the general statutes
943 which is amended in 2003 or 2004, it shall be deemed to refer to the
944 Department of Consumer Protection and Agriculture.

945 (h) If the term "Commissioner of Consumer Protection" or
946 "Commissioner of Agriculture" is used or referred to in any public or
947 special act of 2003 or 2004, or in any section of the general statutes
948 which is amended in 2003 or 2004, it shall be deemed to refer to the
949 Commissioner of Consumer Protection and Agriculture.

950 Sec. 43. Section 4-5 of the general statutes is repealed and the
951 following is substituted in lieu thereof (*Effective July 1, 2003*):

952 As used in sections 4-6, 4-7 and 4-8, the term "department head"
953 means Secretary of the Office of Policy and Management,
954 Commissioner of Administrative Services, Commissioner of Revenue
955 Services, Commissioner of Banking, Commissioner of Children and
956 Families, Commissioner of Consumer Protection and Agriculture,
957 Commissioner of Correction, Commissioner of Economic and
958 Community Development, State Board of Education, Commissioner of
959 Environmental Protection, [Commissioner of Agriculture,]
960 Commissioner of Public Health, Insurance Commissioner, Labor
961 Commissioner, Liquor Control Commission, Commissioner of Mental
962 Health and Addiction Services, Commissioner of Public Safety,
963 Commissioner of Social Services, Commissioner of Mental Retardation,
964 Commissioner of Motor Vehicles, Commissioner of Transportation,
965 Commissioner of Public Works, Commissioner of Veterans' Affairs,
966 Commissioner of Health Care Access, Chief Information Officer and
967 the chairperson of the Public Utilities Control Authority.

968 Sec. 44. Section 4-38c of the general statutes is repealed and the
969 following is substituted in lieu thereof (*Effective July 1, 2003*):

970 There shall be within the executive branch of state government the

971 following departments: Office of Policy and Management, Department
972 of Administrative Services, Department of Revenue Services,
973 Department of Banking, [Department of Agriculture,] Department of
974 Children and Families, Department of Consumer Protection and
975 Agriculture, Department of Correction, Department of Economic and
976 Community Development, State Board of Education, Department of
977 Environmental Protection, Department of Public Health, Board of
978 Governors of Higher Education, Insurance Department, Labor
979 Department, Department of Mental Health and Addiction Services,
980 Department of Mental Retardation, Department of Public Safety,
981 Department of Social Services, Department of Transportation,
982 Department of Motor Vehicles, Department of Veterans' Affairs,
983 Department of Public Works and Department of Public Utility Control.

984 Sec. 45. Subsections (b) and (c) of section 17a-2 of the general
985 statutes are repealed and the following is substituted in lieu thereof
986 (*Effective July 1, 2003*):

987 (b) Said department shall constitute a successor department to the
988 Department of Children and Youth Services, for the purposes of
989 sections 2c-2b, 4-5, 4-38c, 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-
990 259, 7-127c, 8-206d, 10-8a, 10-15d, 10-76d, 10-76h, 10-76i, 10-76w, 10-
991 76g, 10-94g, 10-253, 17-86a, 17-294, 17-409, 17-437, 17-572, 17-578, 17-
992 579, 17-585, 17a-1 to 17a-89, inclusive, 17a-90 to 17a-209, inclusive, 17a-
993 218, 17a-277, 17a-450, 17a-458, 17a-463, 17a-474, 17a-560, 17a-511, 17a-
994 634, 17a-646, 17a-659, 18-69, 18-69a, 18-87, 19a-78, 19a-125, 19a-216, 20-
995 14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to 45a-705, inclusive, 45a-
996 706 to 45a-770, inclusive, [46a-28,] 46a-126, 46b-15 to 46b-19, inclusive,
997 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199, 54-203 and in
998 accordance with the provisions of sections 4-38d and 4-39.

999 (c) Whenever the words "Commissioner of Children and Youth
1000 Services", "Department of Children and Youth Services", or "Council
1001 on Children and Youth Services" are used in sections 2c-2b, 4-5, 4-38c,
1002 4-60i, 4-77a, 4-165b, 4a-11b, 4a-12, 4a-16, 5-259, 7-127c, 8-206d, 10-8a,

1003 10-15d, 10-76d, 10-76h, 10-76i, 10-76w, 10-94g, 10-253, 17-86a, 17-294,
 1004 17-409, 17-437, 17-572, 17-578, 17-579, 17-585, 17a-1 to 17a-89, inclusive,
 1005 17a-90 to 17a-209, inclusive, 17a-218, 17a-277, 17a-450, 17a-458, 17a-463,
 1006 17a-474, 17a-511, 17a-634, 17a-646, 17a-659, 18-69, 18-69a, 18-87, 19a-78,
 1007 19a-125, 19a-216, 20-14i, 20-14j, 31-23, 31-306a, 38a-514, 45a-591 to 45a-
 1008 705, inclusive, 45a-706 to 45a-770, inclusive, [46a-28,] 46a-126, 46b-15 to
 1009 46b-19, inclusive, 46b-120 to 46b-159, inclusive, 54-56d, 54-142k, 54-199,
 1010 54-203, the words "Commissioner of Children and Families",
 1011 "Department of Children and Families", and "Council on Children and
 1012 Families" shall be substituted respectively in lieu thereof.

1013 Sec. 46. Subsection (a) of section 17a-450a of the general statutes is
 1014 repealed and the following is substituted in lieu thereof (*Effective July*
 1015 *1, 2003*):

1016 (a) The Department of Mental Health and Addiction Services shall
 1017 constitute a successor department to the Department of Mental Health.
 1018 Whenever the words "Commissioner of Mental Health" are used or
 1019 referred to in the following general statutes, the words "Commissioner
 1020 of Mental Health and Addiction Services" shall be substituted in lieu
 1021 thereof and whenever the words "Department of Mental Health" are
 1022 used or referred to in the following general statutes, the words
 1023 "Department of Mental Health and Addiction Services" shall be
 1024 substituted in lieu thereof: 2c-2b, 4-5, 4-38c, 4-60i, 4-77a, 4a-12, 4a-16, 5-
 1025 142, 8-206d, 10-19, 10-71, 10-76d, 17a-14, 17a-26, 17a-31, 17a-33, 17a-218,
 1026 17a-246, 17a-450, 17a-451, 17a-452, 17a-453, 17a-454, 17a-455, 17a-456,
 1027 17a-457, 17a-458, 17a-459, 17a-460, 17a-463, 17a-464, 17a-465, 17a-466,
 1028 17a-467, 17a-468, 17a-470, 17a-471, 17a-472, 17a-473, 17a-474, 17a-476,
 1029 17a-478, 17a-479, 17a-480, 17a-481, 17a-482, 17a-483, 17a-484, 17a-498,
 1030 17a-499, 17a-502, 17a-506, 17a-510, 17a-511, 17a-512, 17a-513, 17a-519,
 1031 17a-528, 17a-560, 17a-561, 17a-562, 17a-565, 17a-576, 17a-581, 17a-582,
 1032 17a-675, 17b-28, 17b-222, 17b-223, 17b-225, 17b-359, 17b-420, 17b-694,
 1033 19a-82, 19a-495, 19a-498, 19a-507a, 19a-507c, 19a-576, 19a-583, 20-14i,
 1034 20-14j, 21a-240, 21a-301, 27-122a, 31-222, 38a-514, [46a-28,] 51-51o, 52-
 1035 146h and 54-56d.

1036 Sec. 47. Subsection (e) of section 5-259 of the general statutes is
1037 repealed and the following is substituted in lieu thereof (*Effective July*
1038 *1, 2003*):

1039 (e) Notwithstanding the provisions of subsection (a) of this section,
1040 [(1)] vending stand operators eligible for membership in the state
1041 employee's retirement system pursuant to section 5-175a, shall be
1042 eligible for coverage under the group hospitalization and medical and
1043 surgical insurance plans procured under this section, provided the cost
1044 for such operators' insurance coverage shall be paid by the Board of
1045 Education and Services for the Blind from vending machine income
1046 pursuant to section 10-303. [and (2) blind persons employed in
1047 workshops established pursuant to section 10-298a, shall be eligible for
1048 coverage under the group hospitalization and medical and surgical
1049 insurance plans procured under this section, provided the cost for such
1050 persons' insurance coverage shall be paid by the Board of Education
1051 and Services for the Blind.]

1052 Sec. 48. Section 17b-650 of the general statutes is repealed and the
1053 following is substituted in lieu thereof (*Effective July 1, 2003*):

1054 As used in sections 17b-650 to 17b-665, inclusive: [, and sections 10-
1055 298b and 10-298c:]

1056 (a) "Person with a disability" means any individual with a disability,
1057 excluding blindness, as such term is applied to Title I of the
1058 Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time
1059 to time;

1060 (b) "Vocational rehabilitation service" means any goods and services
1061 necessary to render a person with a disability employable, in
1062 accordance with Title I of the Rehabilitation Act of 1973, 29 USC 701 et
1063 seq., as amended from time to time;

1064 (c) "Community rehabilitation program" means a program that
1065 provides directly for or facilitates the provision of vocational

1066 rehabilitation services to persons with disabilities, as defined in the
1067 Rehabilitation Act of 1973, 29 USC 701 et seq., as amended from time
1068 to time;

1069 (d) "Products are made or manufactured by or services are provided
1070 by persons with disabilities" if not less than seventy-five per cent of the
1071 hours of direct labor required for such products or services are
1072 performed by persons with disabilities.

1073 Sec. 49. (NEW) (*Effective July 1, 2003*) (a) There shall be a Connecticut
1074 Commission on Arts, Culture and Tourism. The commission shall
1075 consist of twelve members appointed by the Governor in accordance
1076 with the provisions of section 4-9a of the general statutes. The first
1077 appointments shall be made on or before July 1, 2003. Any member
1078 who fails to attend three consecutive meetings or who fails to attend
1079 fifty per cent of all meetings held during any calendar year shall be
1080 deemed to have resigned from office. The Governor shall biennially
1081 designate one member of the commission to be chairperson. The
1082 Governor shall fill any vacancy for any unexpired portion of the term
1083 and the Governor may remove any commissioner as provided by
1084 section 4-12 of the general statutes. No member of the commission
1085 shall receive compensation for their services but each member shall be
1086 reimbursed for any reasonable and necessary expenses incurred in the
1087 performance of their duties.

1088 (b) The commission shall organize itself in such manner as it deems
1089 desirable and necessary. Seven members of the commission shall
1090 constitute a quorum and the affirmative vote of a majority of the
1091 members present at a meeting shall be necessary to take any action or
1092 adopt any motion or resolution.

1093 (c) The Governor shall appoint an executive director pursuant to
1094 section 4-9a of the general statutes.

1095 Sec. 50. (NEW) (*Effective July 1, 2003*) (a) All functions, powers and
1096 duties of the State Commission on the Arts established under the

1097 provisions of section 10-369 of the general statutes, the Connecticut
1098 Historical Commission established under section 10-320b of the
1099 general statutes, the Connecticut Film, Video and Media Office
1100 established under section 32-86a of the general statutes and the Office
1101 of Tourism established under section 32-300 of the general statutes are
1102 transferred to the "Connecticut Commission on Arts, Culture and
1103 Tourism" established in section 49 of this act. Said commission shall
1104 constitute a successor as to such matters and not a new authority.

1105 (b) (1) Whenever the term "Commission on the Arts" is used or
1106 referred to in the following sections of the general statutes, the term
1107 "Connecticut Commission on Arts, Culture and Tourism" shall be
1108 substituted in lieu thereof: 3-110f, 3-110h, 3-110i, 4-9a, 4b-53, 4b-66a,
1109 10-370a, 10-370b, 10-373k, 10-373m, 10-373n, 10a-112g and 12-376d.

1110 (2) If the term "Commission on the Arts" is used or referred to in any
1111 public or special act of 2003 or 2004, it shall be deemed to mean or refer
1112 to "Connecticut Commission on Arts, Culture and Tourism".

1113 (c) (1) Whenever the term "Connecticut Historical Commission" is
1114 used or referred to in the following sections of the general statutes, the
1115 term "Connecticut Commission on Arts, Culture and Tourism" shall be
1116 substituted in lieu thereof: 4b-60, 4b-64, 7-147a to 7-147c, inclusive, 7-
1117 147j, 7-147p, 7-147q, 7-147y, 8-2j, 10-320b, 10-320c, 10-320e, 10-320j, 10-
1118 382, 10-384 to 10-389, inclusive, 10-391, 10a-111a, 10a-112, 11-6a, 13a-
1119 252, 19a-315b, 19a-315c, 22a-1d, 22a-19b, 25-102qq, 25-109q and 29-259.

1120 (2) If the term "Connecticut Historical Commission" is used or
1121 referred to in any public or special act of 2003 or 2004, it shall be
1122 deemed to mean or refer to "Connecticut Commission on Arts, Culture
1123 and Tourism".

1124 (d) If the term "Connecticut Film, Video and Media Office" is used
1125 or referred to in any public or special act of 2003 or 2004, it shall be
1126 deemed to mean or refer to "Connecticut Commission on Arts, Culture
1127 and Tourism".

1128 (e) If the term "Office of Tourism" is used or referred to in any
1129 public or special act of 2003 or 2004, it shall be deemed to mean or refer
1130 to "Connecticut Commission on Arts, Culture and Tourism".

1131 (f) The transfer of such functions, powers and duties of said
1132 commissions and offices pursuant to the provisions of this section shall
1133 not affect any action or proceeding, civil or criminal, pending on or
1134 before July 1, 2003, and said commission shall be deemed substituted
1135 in such action by operation of this section without motion or order.

1136 (g) Any contract, right of action or matter undertaken or
1137 commenced by the Commission on the Arts, the Connecticut Historical
1138 Commission, the Connecticut Film, Video and Media Office or the
1139 Office of Tourism, the functions, powers and duties of which are
1140 transferred by this section, may be conducted and completed by the
1141 Connecticut Commission on Arts, Culture and Tourism in the same
1142 manner and under the same terms and conditions and with the same
1143 effect as if undertaken or commenced and conducted and completed
1144 by the Commission on the Arts, the Connecticut Historical
1145 Commission, the Connecticut Film, Video and Media Office or the
1146 Office of Tourism.

1147 (h) The Commission on the Arts, the Connecticut Historical
1148 Commission, the Connecticut Film, Video and Media Office and the
1149 Office of Tourism shall deliver to the Connecticut Commission on Arts,
1150 Culture and Tourism all contracts, books, maps, plans, papers, records
1151 and property pertaining to or used in connection with the functions,
1152 powers or duties of said commissions and offices to the Connecticut
1153 Commission on Arts, Culture and Tourism.

1154 Sec. 51. Section 10-370 of the general statutes is repealed and the
1155 following is substituted in lieu thereof (*Effective July 1, 2003*):

1156 (a) The [commission] Connecticut Commission on Arts, Culture and
1157 Tourism shall encourage, within the state or in association with other
1158 states, or both, participation in, and promotion, development,

1159 acceptance and appreciation of, artistic and cultural activities that shall
1160 include, but are not limited to, music, theater, dance, painting,
1161 sculpture, architecture, literature, films and allied arts and crafts and to
1162 this end shall have the following powers: (1) To join or contract with
1163 consultants, private patrons, individual artists and ensembles and with
1164 institutions, local sponsoring organizations and professional
1165 organizations; (2) to enter into contracts to provide grants, loans or
1166 advances to individuals, organizations, or institutions, public or
1167 private, that are engaged in or plan to engage in artistic and cultural
1168 programs or activities within the state, or that are engaged in or plan to
1169 engage in the promotion, development, or encouragement of artistic
1170 and cultural programs or activities within the state; (3) to accept, hold
1171 and administer, on behalf of the commission, in accordance with the
1172 provisions of sections 4-28, 4-31, 4-31a and 4b-22, real property,
1173 personal property, securities, other choses in action and moneys, or
1174 any interest therein, and income therefrom, either absolutely or in
1175 trust, for any purpose of the commission. The commission may acquire
1176 or receive such property or money for its purposes by the acceptance
1177 of state or federal or public or private loans, contributions, gifts,
1178 grants, donations, bequests or devises, and the commission shall
1179 deposit or credit the same in the General Fund; (4) to establish a
1180 nonprofit foundation for the purpose of raising funds from private
1181 sources to encourage, within the state or in association with other
1182 states, or both, participation in, and promotion, development,
1183 acceptance and appreciation of, artistic and cultural activities that shall
1184 include, but are not limited to, music, theater, dance, painting,
1185 sculpture, architecture, literature, films and allied arts and crafts. All
1186 funds received by the foundation shall be held in the manner
1187 prescribed by sections 4-37e to 4-37j, inclusive; and (5) to perform such
1188 other acts as may be necessary or appropriate to carry out the
1189 objectives and purposes of the commission. The General Assembly
1190 declares that all activities undertaken in carrying out the policies set
1191 forth in this chapter shall be directed toward encouraging and
1192 assisting, rather than in any way limiting, the freedom of artistic

1193 expression that is essential for the well-being of the arts. Said
1194 commission shall maintain a survey of public and private facilities
1195 engaged within the state in artistic and cultural activities and
1196 determine the needs of the citizens of this state and the methods by
1197 which existing resources may be utilized, or new resources developed,
1198 to fulfill these needs. The commission shall maintain a register of
1199 Connecticut artists. The name, town of residence and artistic medium
1200 of any such artist residing in Connecticut shall be entered in the
1201 register by the commission upon the artist's request.

1202 (b) With respect to tourism activities the commission shall: (1)
1203 Provide marketing and other assistance to the tourism industry; (2) (A)
1204 develop a program of challenge grants to encourage innovation and
1205 job development, provide incentives for coordinated activity consistent
1206 with the strategic marketing plan and stimulate the development of
1207 private funds for tourism promotion, and (B) make grants in
1208 accordance with the decisions of the commission; (3) (A) develop a
1209 program of grants to municipalities which are affected by the presence
1210 of tourist attractions within such municipalities or within neighboring
1211 or adjoining municipalities, which municipal effects may include, but
1212 are not limited to, increased traffic on municipal roads and the
1213 increased presence of support services in a municipality, and (B) make
1214 grants in accordance with the decisions of the commission; (4) (A)
1215 establish application procedures for such grants, including, but not
1216 limited to, deadlines for submitting applications and a requirement
1217 that a municipality applying for such funds set forth in the application
1218 the purposes for which the funds are requested, which purposes may
1219 include police services, fire services, bridge and road reconstruction or
1220 repair, signage, public safety, lighting, planning and zoning activities,
1221 zoning enforcement activities and other municipal functions of the
1222 municipality, (B) establish criteria for assessing the effects of tourist
1223 attractions on municipalities and the impact of the funds on the
1224 purpose for which grant funds were awarded, and (C) limit the
1225 amount of funds a municipality may receive, during any state fiscal
1226 year, more than twenty-five per cent of the funds available for such

1227 grants for such year; and (5) assist in maintaining, operating and
1228 managing visitor welcome centers in the state.

1229 (c) With respect to film, video and media activities the commission
1230 shall: (1) Promote the use of Connecticut locations, facilities and
1231 services for the production of films, videos, television programs, audio
1232 recordings and other media-related products; (2) provide support
1233 services to visiting and in-state production companies, including
1234 assistance to film, video and other media producers in securing
1235 location permits from state agencies, authorities or institutions or
1236 municipalities or other political subdivisions of the state; (3) develop
1237 and update a resource library concerning the many possible state sites
1238 which are suitable for filming and taping; (4) develop and update a
1239 production manual of available film, video and media production
1240 facilities and services in the state; (5) conduct and attend trade shows
1241 and production workshops to promote Connecticut locations and
1242 facilities; (6) prepare an explanatory guide showing the impact of
1243 relevant state and municipal tax statutes, regulations and
1244 administrative opinions on typical production activities; (7) formulate
1245 and propose guidelines for standardized permits to be used by state
1246 agencies which shall be as close to a "one stop permitting" process as
1247 possible, for matters including, but not limited to, the use of state roads
1248 and highways, the use of state-owned real or personal property for
1249 production activities and the conduct of regulated activities, and to
1250 hold workshops to assist state agencies in implementing such process;
1251 (8) formulate and recommend to municipalities model local ordinances
1252 to assist production activities, including, but not limited to, "one stop
1253 permitting" of film, video and other media production activity to be
1254 conducted in a municipality, and to hold workshops to assist
1255 municipalities in implementing such ordinances; (9) request and obtain
1256 from any state agency, authority or institution or any municipality or
1257 other political subdivision of the state such assistance and data as will
1258 enable the office to carry out the purposes of this subsection; (10) assist
1259 and promote cooperation among all segments of management and
1260 labor that are engaged in film, video or other media production; and

1261 (11) develop criteria for use by the Department of Economic and
1262 Community Development, the Connecticut Development Authority,
1263 Connecticut Innovations, Incorporated, and other state agencies and
1264 authorities in awarding financial assistance for the production of films,
1265 videos and other media projects in the state. The criteria shall (A)
1266 provide for a secured position for the state, and (B) give preference to
1267 projects having significant advance sales or other commitments.

1268 (d) The commission shall establish a discovering Connecticut
1269 account to be used to create incentive financing for qualified entities
1270 requesting funding for historical preservation, tourism, arts,
1271 filmmaking and other cultural projects that promote the state and its
1272 economy.

1273 Sec. 52. Section 10-320b of the general statutes is repealed and the
1274 following is substituted in lieu thereof (*Effective July 1, 2003*):

1275 [(a) The Connecticut Historical Commission shall consist of twelve
1276 members to be appointed by the Governor. On or before January fifth
1277 in the even-numbered years he shall appoint six members for terms of
1278 four years each to replace those whose terms expire. One of such
1279 members shall be the State Historian. Commencing on July 1, 1987,
1280 members shall be appointed in accordance with the provisions of
1281 section 4-9a. No member shall serve for more than two consecutive full
1282 terms which commence after July 1, 1987. Any member who fails to
1283 attend three consecutive meetings or who fails to attend fifty per cent
1284 of all meetings held during any calendar year shall be deemed to have
1285 resigned from office. The Governor shall biennially designate one
1286 member of the commission to be chairman. The Governor shall fill any
1287 vacancy for any unexpired portion of the term and he may remove any
1288 commissioner as provided by section 4-12. No compensation shall be
1289 received by the members of the commission but they shall be
1290 reimbursed for their necessary expenses.]

1291 [(b) The commission] (a) The Connecticut Commission on Arts,
1292 Culture and Tourism may (1) study and investigate historic structures

1293 and landmarks in this state and encourage and recommend the
1294 development, preservation and marking of such historic structures and
1295 landmarks found to have educational, recreational and historical
1296 significance; (2) prepare, adopt and maintain standards for a state
1297 register of historic places; (3) update and keep current the state historic
1298 preservation plan; (4) administer the National Register of Historic
1299 Places Program; (5) assist owners of historic structures in seeking
1300 federal or other aid for historic preservation and related purposes; (6)
1301 cooperate with the Department of Economic and Community
1302 Development by furnishing data, historical facts and findings which
1303 will enable said department to promote and publicize the existence of
1304 historic structures and landmarks within the state either of a public
1305 nature or operated and maintained by nonprofit organizations; (7)
1306 recommend to the General Assembly the placing and maintaining of
1307 suitable markers, memorials or monuments or other edifices to
1308 designate historic structures and landmarks found to have historical
1309 significance; (8) make recommendations to the General Assembly
1310 regarding the development and preservation of historic structures and
1311 landmarks owned by the state; (9) maintain a program of historical,
1312 architectural, and archaeological research and development including
1313 surveys, excavation, scientific recording, interpretation and publication
1314 of the historical, architectural, archaeological and cultural resources of
1315 the state; (10) cooperate with promotional, patriotic, educational and
1316 research groups and associations, with local, state and national
1317 historical societies, associations and commissions, with agencies of the
1318 state and its political subdivisions and with the federal government, in
1319 promoting and publicizing the historical heritage of Connecticut; (11)
1320 formulate standards and criteria to guide the several municipalities in
1321 the evaluation, delineation and establishment of historic districts; (12)
1322 cooperate with the State Building Inspector, the Codes and Standards
1323 Committee and other building officials and render advisory opinions
1324 and prepare documentation regarding the application of the State
1325 Building Code to historic structures and landmarks if requested by
1326 owners of historic structures and landmarks, the State Building

1327 Inspector, the Codes and Standards Committee or other building
1328 officials; (13) review planned state and federal actions to determine
1329 their impact on historic structures and landmarks; (14) [operate the
1330 Henry Whitfield House of Guilford, otherwise known as the Old Stone
1331 House, as a state historical museum and, in its discretion, charge a fee
1332 for admission to said museum and account for and deposit the same as
1333 provided in section 4-32; (15)] provide technical and financial
1334 assistance to carry out the purposes of this chapter; [(16)] (15) adopt
1335 regulations in accordance with the provisions of chapter 54 for the
1336 preservation of sacred sites and archaeological sites; [,] and [(17)] (16)
1337 inventory state lands to identify sacred sites and archaeological sites.
1338 The commission shall study the feasibility of establishing a state
1339 museum of Connecticut history at an appropriate existing facility.

1340 [(c) The Connecticut Historical Commission shall be within the State
1341 Library for administrative purposes only.]

1342 [(d)] (b) Notwithstanding the provisions of this section or section 1-
1343 210, the [Connecticut Historical Commission] Connecticut Commission
1344 on Arts, Culture and Tourism may withhold from disclosure to the
1345 public information relating to the location of archaeological sites under
1346 consideration for listing by the State Historical Commission or those
1347 listed on the National Register of Historic Places or the state register of
1348 historic places whenever the commission determines that disclosure of
1349 specific information would create a risk of destruction or harm to such
1350 sites. On and after July 1, 1982, the provisions of this subsection shall
1351 not apply to any such site unless the person who reported or
1352 discovered such site has submitted a written statement to the
1353 commission requesting that no disclosure be made. Upon receipt of
1354 such statement, the commission may withhold such information from
1355 disclosure until the July first next succeeding such receipt. Such person
1356 may request that a period of nondisclosure be extended by submitting
1357 such statements prior to July first of any year subsequent to 1982.

1358 [(e) The Connecticut Historical Commission] (c) The Connecticut

1359 Commission on Arts, Culture and Tourism shall develop a model
1360 ballot form to be mailed by clerks of municipalities on the question of
1361 creation of historic districts or districts as provided for in section 7-
1362 147a to 7-147k, inclusive.

1363 Sec. 53. Section 32-306 of the general statutes is repealed and the
1364 following is substituted in lieu thereof (*Effective July 1, 2003*):

1365 As used in [sections 32-306 and 32-307: (1) "Visitor welcome center"]
1366 this section and section 32-307, as amended by this act, "visitor
1367 welcome center" means the welcome centers, visitor centers and tourist
1368 information centers located in Middletown, Southington, Wallingford,
1369 West Willington, Greenwich, Windsor Locks, Danbury, Darien, North
1370 Stonington, Plainfield, Westbrook and at Bradley International Airport,
1371 which have been established to distribute information to persons
1372 traveling in the state for the purpose of influencing such persons' level
1373 of satisfaction with the state and expenditures in the state and their
1374 planning for present and future trips to the state.

1375 [(2) "Office of Tourism" means the Department of Economic and
1376 Community Development Office of Tourism established pursuant to
1377 section 32-300.]

1378 Sec. 54. Section 32-307 of the general statutes is repealed and the
1379 following is substituted in lieu thereof (*Effective July 1, 2003*):

1380 The following measures shall be implemented to enhance the
1381 operation of visitor welcome centers:

1382 (1) The Department of Transportation shall reconfigure the interior
1383 designs of the Middletown, Southington, Wallingford and West
1384 Willington visitor welcome centers and shall review the feasibility of
1385 winterizing the Greenwich and Windsor Locks centers for year-round
1386 operation. The Department of Transportation, the [Office of]
1387 Connecticut Commission on Arts, Culture and Tourism and the
1388 licensed vendor at the Darien center shall redesign said center to

1389 incorporate tourism services;

1390 (2) The Department of Transportation shall study the feasibility of
1391 installing under-the-counter security systems at the Greenwich,
1392 Westbrook and Windsor Locks visitor welcome centers;

1393 (3) Each center shall make available space for listing events and
1394 promoting attractions, by invitation to the Connecticut tourism
1395 industry, including tourism districts, chambers of commerce and any
1396 other tourism entities involved in Connecticut tourism promotion;

1397 (4) The Department of Transportation shall continue to bring public
1398 restrooms at all the centers into compliance with the federal Americans
1399 with Disabilities Act;

1400 (5) The [Office of] Connecticut Commission on Arts, Culture and
1401 Tourism, in consultation with the Department of Transportation, shall
1402 develop plans for (A) consistent signage for the visitor welcome
1403 centers, and (B) highway signage regulations for privately operated
1404 centers;

1405 (6) The Department of Transportation shall (A) maintain the visitor
1406 welcome centers owned by the Department of Transportation, and (B)
1407 provide housekeeping services at the Middletown, Southington,
1408 Wallingford, West Willington, Danbury, North Stonington and
1409 Westbrook visitor welcome centers;

1410 (7) The Department of Transportation and the [Office of]
1411 Connecticut Commission on Arts, Culture and Tourism shall establish
1412 an "Adopt A Visitor Welcome Center" program, under which local
1413 civic organizations may provide maintenance, gardening, including
1414 wildflowers, and complimentary refreshments or any other type of
1415 service at a visitor welcome center to enhance the operation of the
1416 center;

1417 (8) Subject to available funds, the [Office of] Connecticut
1418 Commission on Arts, Culture and Tourism shall place a full-time year-

1419 round supervisor and a part-time assistant supervisor at the Windsor
1420 Locks, Danbury, Darien, North Stonington and West Willington
1421 centers and the two centers at Bradley International Airport. The
1422 responsibilities of each supervisor shall include, but not be limited to:
1423 (A) Maintaining a sufficient inventory of up-to-date brochures for
1424 dissemination to visitors, (B) scheduling staff so as to assure coverage
1425 at all times, (C) training staff, (D) compiling and maintaining statistics
1426 on center usage, (E) serving as liaison between the Office of Tourism,
1427 the Department of Transportation, the tourism district in which the
1428 center is located and businesses in such district, (F) maintaining
1429 quality tourism services, (G) rotating displays, (H) evaluating staff, (I)
1430 problem-solving, and (J) computing travel reimbursements for
1431 volunteer staff;

1432 (9) Subject to available funds, the [Office of] Connecticut
1433 Commission on Arts, Culture and Tourism shall place a seasonal full-
1434 time supervisor and a seasonal part-time assistant supervisor at the
1435 Greenwich, Southington, Westbrook and Windsor Locks centers. The
1436 office shall discontinue staffing at the Middletown, Plainfield and
1437 Wallingford centers, and shall, in conjunction with the tourism
1438 industry, seek contract workers to provide tourism services at the
1439 Middletown and Wallingford centers and at the Southington and
1440 Westbrook centers when not staffed by the state;

1441 (10) Subject to available funds, the [Office of] Connecticut
1442 Commission on Arts, Culture and Tourism, in conjunction with the
1443 tourism industry, shall develop and implement initial staff training
1444 and conduct periodic training of full-time and part-time supervisors;

1445 (11) In addition to the staffing required by this section, each center
1446 shall have an electronic information system to provide information to
1447 visitors. Such systems shall be provided at no cost to the state and any
1448 revenue generated through the request for proposal process shall be
1449 deposited in the [tourism account established under section 32-303]
1450 General Fund;

1451 (12) The centers for which the state does not provide staff shall use
1452 electronic information systems for highlighting attractions and event,
1453 restaurant, museum and other information;

1454 (13) Each center shall provide no-cost lodging reservation services;
1455 and

1456 (14) The [Office of] Connecticut Commission on Arts, Culture and
1457 Tourism, in conjunction with the tourism districts and the private
1458 sector, shall establish a dedicated highway radio station which shall
1459 highlight ongoing tourism activities and encourage travelers to stop at
1460 visitor welcome centers.

1461 Sec. 55. Subdivision (13) of subsection (e) of section 2c-2b of the
1462 general statutes is repealed and the following is substituted in lieu the
1463 (*Effective July 1, 2003*):

1464 (13) [State Commission on the Arts, established under section 10-
1465 369] The Connecticut Commission on Arts, Culture and Tourism,
1466 established under section 49 of this act.

1467 Sec. 56. Subsection (d) of section 7-127c of the general statutes is
1468 repealed and the following is substituted in lieu thereof (*Effective July*
1469 *1, 2003*):

1470 (d) The Department of Education may adopt and disseminate to
1471 municipalities guidelines as to the role and duties of municipal agents
1472 and such informational and technical materials as may assist such
1473 agents in the performance of their duties. The department [, in
1474 collaboration with the Commission on Children,] may provide training
1475 for municipal agents within the available resources of the department.
1476 [and the commission.]

1477 Sec. 57. Subsection (c) of section 10-16n of the general statutes is
1478 repealed and the following is substituted in lieu thereof (*Effective July*
1479 *1, 2003*):

1480 (c) There is established a committee to advise the Commissioner of
1481 Education concerning the coordination, priorities for allocation and
1482 distribution, and utilization of funds for Head Start and concerning the
1483 competitive grant program established under this section, and to
1484 evaluate programs funded pursuant to this section. The committee
1485 shall consist of [twelve] eleven members as follows: One member
1486 designated by the Commissioner of Social Services; six members who
1487 are directors of Head Start programs, two from community action
1488 agency program sites or school readiness coordinators, one of whom
1489 shall be appointed by the president pro tempore of the Senate and one
1490 by the speaker of the House of Representatives, two from school
1491 program sites, one of whom shall be appointed by the majority leader
1492 of the Senate and one by the majority leader of the House of
1493 Representatives, and two from other nonprofit agency program sites,
1494 one of whom shall be appointed by the minority leader of the Senate
1495 and one by the minority leader of the House of Representatives; [one
1496 member designated by the Commission on Children;] one member
1497 designated by the Early Childhood Education Council; one member
1498 designated by the Head Start Directors Association who shall be the
1499 parent of a present or former Head Start student; one member
1500 designated by the Connecticut Association for Community Action who
1501 shall have expertise and experience concerning Head Start; and one
1502 member designated by the Office of Human Development Services,
1503 Office of Community Programs, Region 1 of the federal Department of
1504 Health and Human Services.

1505 Sec. 58. Subsection (a) of section 17a-56a of the general statutes is
1506 repealed and the following is substituted in lieu thereof (*Effective July*
1507 *1, 2003*):

1508 (a) There is established a Healthy Families Advisory Commission to
1509 monitor the state-wide system for Healthy Families Connecticut
1510 developed pursuant to section 17a-56. The commission shall consist of:
1511 (1) One member appointed by the speaker of the House of
1512 Representatives and one member appointed by the president pro

1513 tempore of the Senate, who shall be members of the General Assembly;
1514 (2) one member appointed by the minority leader of the House of
1515 Representatives and one member appointed by the minority leader of
1516 the Senate, who shall be members of the General Assembly; (3) a
1517 representative of the Governor; (4) the Commissioner of Children and
1518 Families, or [his] the commissioner's designee; (5) the Commissioner of
1519 Social Services, or [his] the commissioner's designee; (6) the
1520 Commissioner of Public Health, or [his] the commissioner's designee;
1521 (7) the Commissioner of Education, or [his] the commissioner's
1522 designee; (8) the Secretary of the Office of Policy and Management, or
1523 [his] the secretary's designee; (9) [the executive director of the
1524 Commission on Children, or his designee; (10)] a representative of the
1525 Child Advocate's Office, who shall be appointed by the minority
1526 leader of the House of Representatives; and [(11)] (10) a representative
1527 of the Connecticut Chapter of the National Committee to Prevent
1528 Child Abuse who shall be appointed by the majority leader of the
1529 Senate.

1530 Sec. 59. Subsection (a) of section 17a-219c of the general statutes is
1531 repealed and the following is substituted in lieu thereof (*Effective July*
1532 *1, 2003*):

1533 (a) There is established a Family Support Council to assist the
1534 Department of Mental Retardation and other state agencies that
1535 administer or fund family support services to act in concert and,
1536 within available appropriations, to (1) establish a comprehensive,
1537 coordinated system of family support services, (2) use existing state
1538 and other resources efficiently and effectively as appropriate for such
1539 services, (3) identify and address services that are needed for families
1540 of children with disabilities, and (4) promote state-wide availability of
1541 such services. The council shall consist of [twenty-seven] twenty-six
1542 voting members including the Commissioners of Public Health,
1543 Mental Retardation, Children and Families, Education and Social
1544 Services, or their designees, the Child Advocate, the executive director
1545 of the Office of Protection and Advocacy for Persons with Disabilities,

1546 the chairperson of the State Interagency Birth-to-Three Coordinating
1547 Council, as established pursuant to section 17a-248b, [the executive
1548 director of the Commission on Children,] and family members of, or
1549 individuals who advocate for, children with disabilities. The family
1550 members or individuals who advocate for children with disabilities
1551 shall comprise two-thirds of the council and shall be appointed as
1552 follows: Six by the Governor, three by the president pro tempore of the
1553 Senate, two by the majority leader of the Senate, one by the minority
1554 leader of the Senate, three by the speaker of the House of
1555 Representatives, two by the majority leader of the House of
1556 Representatives and one by the minority leader of the House of
1557 Representatives. Members shall be appointed for a term of four years.
1558 Members shall be limited to two consecutive terms. The council shall
1559 meet at least quarterly and shall select its own chairperson. Council
1560 members shall serve without compensation but shall be reimbursed for
1561 necessary expenses incurred. The costs of administering the council
1562 shall be within available appropriations in accordance with sections
1563 17a-219a to 17a-219c, inclusive.

1564 Sec. 60. Section 17a-711 of the general statutes is repealed and the
1565 following is substituted in lieu thereof (*Effective July 1, 2003*):

1566 The Department of Mental Health and Addiction Services shall
1567 establish a committee on substance-abusing pregnant women and their
1568 children. The committee shall make recommendations to the
1569 department in the development and oversight of treatment programs
1570 for substance-abusing pregnant women and their children established
1571 pursuant to section 17a-710. The committee shall be composed of the
1572 Commissioners of Social Services, Children and Families, Public
1573 Health and Mental Health and Addiction Services or their designees,
1574 [a representative of the Commission on Children] and six members
1575 who are representatives of other public or private agencies which work
1576 in the area of substance-abusing women and their children, one of
1577 whom shall be appointed by the president pro tempore of the Senate,
1578 one by the speaker of the House of Representatives, one by the

majority leader of the Senate, one by the majority leader of the House of Representatives, one by the minority leader of the Senate and one by the minority leader of the House of Representatives. The Commissioner of Mental Health and Addiction Services shall appoint the chairperson of the committee. The committee shall (1) review all studies available concerning the incidence and prevalence of substance-abusing pregnant women in the state and the impact of substance abuse on the health of their children; (2) develop a survey for the department to send to community-based treatment providers to assist in the assessment of unmet service needs state-wide; (3) collect data on the availability of private funding for treatment facilities for women and provide the data to the department; (4) study whether the possible liability of providers of substance abuse treatment services to pregnant women acts as a deterrent to providing such services; and (5) recommend policy and funding initiatives to the department for prevention and treatment programs for substance-abusing pregnant women.

Sec. 61. Subsection (a) of section 17b-28 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2003*):

(a) There is established a council which shall advise the Commissioner of Social Services on the planning and implementation of a system of Medicaid managed care and shall monitor such planning and implementation and shall advise the Waiver Application Development Council, established pursuant to section 17b-28a, on matters including, but not limited to, eligibility standards, benefits, access and quality assurance. The council shall be composed of the chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to human services and public health, or their designees; two members of the General Assembly, one to be appointed by the president pro tempore of the Senate and one to be appointed by the speaker of the House of Representatives; the director of the Commission on Aging, or a

1612 designee; [the director of the Commission on Children, or a designee;]
1613 two community providers of health care, to be appointed by the
1614 president pro tempore of the Senate; two representatives of the
1615 insurance industry, to be appointed by the speaker of the House of
1616 Representatives; two advocates for persons receiving Medicaid, one to
1617 be appointed by the majority leader of the Senate and one to be
1618 appointed by the minority leader of the Senate; one advocate for
1619 persons with substance abuse disabilities, to be appointed by the
1620 majority leader of the House of Representatives; one advocate for
1621 persons with psychiatric disabilities, to be appointed by the minority
1622 leader of the House of Representatives; two advocates for the
1623 Department of Children and Families foster families, one to be
1624 appointed by the president pro tempore of the Senate and one to be
1625 appointed by the speaker of the House of Representatives; two
1626 members of the public who are currently recipients of Medicaid, one to
1627 be appointed by the majority leader of the House of Representatives
1628 and one to be appointed by the minority leader of the House of
1629 Representatives; two representatives of the Department of Social
1630 Services, to be appointed by the Commissioner of Social Services; two
1631 representatives of the Department of Public Health, to be appointed by
1632 the Commissioner of Public Health; two representatives of the
1633 Department of Mental Health and Addiction Services, to be appointed
1634 by the Commissioner of Mental Health and Addiction Services; two
1635 representatives of the Department of Children and Families, to be
1636 appointed by the Commissioner of Children and Families; two
1637 representatives of the Office of Policy and Management, to be
1638 appointed by the Secretary of the Office of Policy and Management;
1639 one representative of the office of the State Comptroller, to be
1640 appointed by the State Comptroller and the members of the Health
1641 Care Access Board who shall be ex-officio members and who may not
1642 designate persons to serve in their place. The council shall choose a
1643 chair from among its members. The joint committee on Legislative
1644 Management shall provide administrative support to such chair. The
1645 council shall convene its first meeting no later than June 1, 1994.

1646 Sec. 62. Section 17b-748 of the general statutes is repealed and the
1647 following is substituted in lieu thereof (*Effective July 1, 2003*):

1648 There is established a Child Day Care Council consisting of the
1649 Commissioner of Public Health, the Commissioner of Social Services,
1650 the Commissioner of Children and Families, the Commissioner of
1651 Education and the Commissioner of Economic and Community
1652 Development or a representative of each designated by [him] the
1653 commissioner in writing to serve as such representative, and [sixteen]
1654 fourteen other persons appointed by the Governor. Said council shall
1655 be within the Department of Social Services for administrative
1656 purposes only. Of the persons appointed by the Governor, one shall be
1657 from among those recommended by the Connecticut Association for
1658 Education of Young Children; one shall be a member of a community
1659 council; one shall be a member of a community action program; one
1660 shall be a member of a child development or early childhood
1661 education department of a Connecticut college or university; four shall
1662 be providers of child day care services, two of whom shall be family
1663 day care providers, and two of whom shall be child day care center
1664 providers; [one shall be from among those recommended by the
1665 Permanent Commission on the Status of Women; one shall be from
1666 among those recommended by the Connecticut Commission on
1667 Children;] one shall be from among those recommended by the
1668 American Academy of Pediatrics; one shall be a member of an
1669 advocacy group concerned with young children and their families; one
1670 shall be from among those recommended by the AFL-CIO Labor
1671 Council who is a member of organized labor; one shall be a member of
1672 the Connecticut Business and Industry Association; and two shall be
1673 parents, each of whom shall have a child enrolled in a child day care
1674 service. The members of the council shall serve without compensation
1675 but shall be reimbursed for necessary expenses incurred in the course
1676 of their duties. The chairperson and the vice-chairperson of the council
1677 shall be elected by the full membership of the council from among the
1678 persons appointed by the Governor and shall serve for a term of one

1679 year. The council shall meet at least ten times per year. Any appointed
1680 member who fails to attend three consecutive meetings or fails to
1681 attend fifty per cent of all meetings held during any calendar year shall
1682 be deemed to have resigned. The council shall recommend to the
1683 Commissioner of Public Health regulations which shall effectuate the
1684 purposes of this section and sections 17b-733, 19a-77, 19a-79, 19a-80,
1685 19a-82 to 19a-87, inclusive, and 19a-87b to 19a-87e, inclusive, including
1686 regulations relating to licensing, operation, program and professional
1687 qualifications of the staff of child day care centers, group day care
1688 homes and family day care homes and shall make recommendations to
1689 the Commissioner of Public Health on the administration of said
1690 sections. The Child Day Care Council shall also make
1691 recommendations to the Department of Social Services as the lead
1692 agency for day care on grants management and the planning and
1693 development of child day care services. In addition, the council shall
1694 provide guidelines for drop-in supplementary child care operations.
1695 Before making such recommendations, the council shall hold public
1696 hearings and invite suggestions from parents of children utilizing child
1697 day care services, as defined in section 19a-77, and from providers of
1698 such services and other interested parties. The Child Day Care Council
1699 shall study issues affecting child day care and make recommendations
1700 to the General Assembly. The council shall serve as an advisory
1701 committee to the Department of Social Services in the development of
1702 the state child care plan required pursuant to the Child Care
1703 Development and Improvement Act of 1990 and shall conduct biennial
1704 public hearings on such state plan.

1705 Sec. 63. Section 19a-7g of the general statutes is repealed and the
1706 following is substituted in lieu thereof (*Effective July 1, 2003*):

1707 There is established a Childhood Immunization Advisory Council
1708 consisting of the Commissioners of Public Health, Education and
1709 Social Services or their designees; [a representative of the Commission
1710 on Children;] a representative of the American Academy of Pediatrics,
1711 to be appointed by the president pro tempore of the Senate; a

1712 representative of the Association of Primary Health Care Providers, to
1713 be appointed by the minority leader of the Senate; a representative of
1714 the Legal Aid Society, to be appointed by the speaker of the House of
1715 Representatives; and a public member who is a parent of a child who
1716 is eligible for Medicaid or uninsured, to be appointed by the minority
1717 leader of the House of Representatives. The chairperson and the vice-
1718 chairperson of the council shall be elected by the full membership of
1719 the council and shall serve for a term of one year. The council shall
1720 meet at least twice a year. Council members shall serve without
1721 compensation. The council shall advise the Department of Public
1722 Health on the development, implementation, monitoring and
1723 evaluation of the universal childhood immunization program
1724 established pursuant to section 19a-7f.

1725 Sec. 64. Section 19a-125 of the general statutes is repealed and the
1726 following is substituted in lieu thereof (*Effective July 1, 2003*):

1727 There is established a State-Wide Adolescent Health Council. The
1728 council shall consist of the following members: The Commissioners of
1729 Public Health, Children and Families, Education, Higher Education
1730 and Social Services or their designees; the chairpersons of the joint
1731 standing committees of the General Assembly having cognizance of
1732 matters relating to public health and human services; [a representative
1733 of the Commission on Children; a representative of the Permanent
1734 Commission on the Status of Women;] a representative of a school-
1735 based health center and a media specialist to be appointed by the
1736 Governor; a representative of the United Way of Connecticut and the
1737 Teen Pregnancy Prevention Coalition of Connecticut to be appointed
1738 by the president pro tempore of the Senate; a representative of the
1739 Mental Health Association and the Connecticut Chapter of the
1740 American Academy of Pediatrics to be appointed by the majority
1741 leader of the Senate; a representative of the Connecticut Chapter of the
1742 National Association of Social Workers to be appointed by the
1743 minority leader of the Senate; a representative of the Connecticut
1744 Association of Human Services and the Connecticut Conference of

1745 Municipalities to be appointed by the speaker of the House of
1746 Representatives; a representative of the Connecticut Association of
1747 Family Practitioners and the Connecticut Sexual Assault Crisis Center
1748 to be appointed by the majority leader of the House of Representatives;
1749 and a representative of the Connecticut Youth Service Association and
1750 the Connecticut Primary Care Association to be appointed by the
1751 minority leader of the House of Representatives. The chairperson and
1752 the vice-chairperson of the council shall be elected by the full
1753 membership of the council from among its membership. The council
1754 shall meet at regular intervals as determined by the chairperson. The
1755 members of the council shall serve without compensation. The council
1756 shall consult with and advise the Commissioners of Public Health,
1757 Social Services, Education and Children and Families concerning the
1758 coordination of service delivery to and health needs of teens. The
1759 council shall examine issues, including but not limited to, contributing
1760 factors of high risk behaviors, how multiple problems interrelate and
1761 strategies for prevention. The council shall make recommendations on
1762 facilitating federal, state and community action to address teen
1763 pregnancy, mental health, violence, substance abuse, sexually
1764 transmitted diseases, acquired immune deficiency syndrome and such
1765 other areas as the council determines are relevant to adolescent health
1766 needs. The council shall submit a report to the joint standing
1767 committees of the General Assembly having cognizance of matters
1768 relating to public health, human services and education, in accordance
1769 with the provisions of section 11-4a on or before June 30, 1994.

1770 Sec. 65. Subsection (c) of section 46b-69c of the general statutes is
1771 repealed and the following is substituted in lieu thereof (*Effective July*
1772 *1, 2003*):

1773 (c) The advisory committee shall consist of not more than ten
1774 members to be appointed by the Chief Justice of the Supreme Court
1775 and shall include members who represent [the Commission on
1776 Children,] the family law section of the Connecticut Bar Association,
1777 educators specializing in children studies, agencies representing

1778 victims of family violence, service providers and the Judicial
1779 Department. The members shall serve for terms of two years and may
1780 be reappointed for succeeding terms. The members shall elect a
1781 chairperson from among their number and shall receive no
1782 compensation for their services.

1783 Sec. 66. Section 4-61t of the general statutes is repealed and the
1784 following is substituted in lieu thereof (*Effective July 1, 2003*):

1785 There shall be established a Committee on Career Entry and
1786 Mobility, appointed by the Commissioner of Administrative Services
1787 and chaired by the Commissioner of Administrative Services or his
1788 designee, which shall include a representative of the Office of Policy
1789 and Management, a representative of the Department of
1790 Administrative Services who is involved in classification activity, a
1791 representative of the Commission on Human Rights and
1792 Opportunities, [a representative of the Permanent Commission on the
1793 Status of Women,] a representative of the Office of Protection and
1794 Advocacy for Persons with Disabilities and ten additional persons, two
1795 of whom shall be state agency personnel administrators, four of whom
1796 shall be labor representatives and four of whom shall be employed in
1797 state service and familiar with the problems of career mobility,
1798 affirmative action, the implementation of corrective programs, and the
1799 accommodation and entry level needs of persons with disabilities. The
1800 committee shall determine how career counseling can be best provided
1801 and training opportunities best met and made available within the
1802 funds allotted. The committee shall also develop mechanisms to
1803 communicate information about state employment opportunities to
1804 state employees and persons with disabilities who wish to become
1805 state employees. The committee shall advise the Commissioner of
1806 Administrative Services concerning broader usage of classification
1807 titles affecting upward mobility, the entry level employment of
1808 persons with disabilities and an effective procedure for reporting
1809 compliance to the legislature. The committee shall prepare written
1810 guidelines for implementation of the career mobility program

1811 described in subsection (a) of section 4-61u, section 4-61w and this
1812 section and the entry level employment program for persons with
1813 disabilities described in subsection (b) of section 4-61u and this section.
1814 The committee shall meet at least once each quarter and shall submit
1815 periodic reports to the Commissioner of Administrative Services.

1816 Sec. 67. Subsection (b) of section 10-145a of the general statutes is
1817 repealed and the following is substituted in lieu thereof (*Effective July*
1818 *1, 2003*):

1819 (b) Any candidate in a program of teacher preparation leading to
1820 professional certification shall be encouraged to successfully complete
1821 an intergroup relations component of such a program which shall be
1822 developed with the participation of both sexes, and persons of various
1823 ethnic, cultural and economic backgrounds. Such intergroup relations
1824 program shall have the following objectives: (1) The imparting of an
1825 appreciation of the contributions to American civilization of the
1826 various ethnic, cultural and economic groups composing American
1827 society and an understanding of the life styles of such groups; (2) the
1828 counteracting of biases, discrimination and prejudices; and (3) the
1829 assurance of respect for human diversity and personal rights. The State
1830 Board of Education, the Board of Governors of Higher Education []
1831 and the Commission on Human Rights and Opportunities [and the
1832 Permanent Commission on the Status of Women] shall establish a joint
1833 committee composed of members of the [four] three agencies, which
1834 shall develop and implement such programs in intergroup relations.

1835 Sec. 68. Subsection (e) of section 19a-4j of the general statutes is
1836 repealed and the following is substituted in lieu thereof (*Effective July*
1837 *1, 2003*):

1838 (e) The Commissioner of Public Health shall submit an annual
1839 report concerning the activities of the office to the Governor, the
1840 General Assembly, [the Permanent Commission on the Status of
1841 Women established under section 46a-1, the Latino and Puerto Rican

1842 Affairs Commission established under section 2-120,] and the Indian
1843 Affairs Council established under section 47-59b, [and the Connecticut
1844 African-American Affairs Commission.] The office shall also hold
1845 community workshops and use other means to disseminate its
1846 findings state-wide.

1847 Sec. 69. Subsection (a) of section 19a-4k of the general statutes is
1848 repealed and the following is substituted in lieu thereof (*Effective July*
1849 *1, 2003*):

1850 (a) There is established an Advisory Commission on Multicultural
1851 Health. The mission of the advisory commission shall be the
1852 elimination of disparities in health status among the state's cultural
1853 and ethnic communities and the overall improvement of the health of
1854 state residents. The advisory commission shall consist of:

1855 (1) One member appointed by the president pro tempore of the
1856 Senate, who shall be a member of an affiliate of the National Urban
1857 League, Inc.;

1858 (2) One member appointed by the speaker of the House of
1859 Representatives, who shall be a representative of the National
1860 Association for the Advancement of Colored People;

1861 (3) One member appointed by the majority leader of the House of
1862 Representatives, who shall be a member of the Black and Puerto Rican
1863 Caucus of the General Assembly;

1864 (4) One member appointed by the minority leader of the Senate,
1865 who shall be a representative of an advocacy group for Native
1866 Americans;

1867 (5) One member appointed by the minority leader of the House of
1868 Representatives, who shall be a representative of an advocacy group
1869 for Asian-Americans;

1870 (6) One member appointed by the majority leader of the Senate,

1871 who shall be a representative of an advocacy group for Hispanics;

1872 [(7) The chairperson of the Connecticut African-American Affairs
1873 Commission;

1874 (8) The chairperson of the Latino and Puerto Rican Affairs
1875 Commission;]

1876 [(9)] (7) The chairperson of the Statewide Multicultural Health
1877 Steering Committee; and

1878 [(10) The chairperson of the Permanent Commission on the Status of
1879 Women, or the chairperson's designee; and]

1880 [(11)] (8) Eight members of the public, representing diverse
1881 multicultural and multiethnic backgrounds, two of whom shall be
1882 appointed by the president pro tempore of the Senate, two of whom
1883 shall be appointed by the speaker of the House of Representatives, two
1884 of whom shall be appointed by the minority leader of the Senate, and
1885 two of whom shall be appointed by the minority leader of the House of
1886 Representatives.

1887 Sec. 70. Subsection (a) of section 19a-112a of the general statutes is
1888 repealed and the following is substituted in lieu thereof (*Effective July*
1889 *1, 2003*):

1890 (a) There is created a Commission on the Standardization of the
1891 Collection of Evidence in Sexual Assault Investigations composed of
1892 ~~[fourteen]~~ twelve members as follows: The Chief State's Attorney or a
1893 designee; ~~[the executive director of the Permanent Commission on the~~
1894 ~~Status of Women or a designee;]~~ the Commissioner of Children and
1895 Families or a designee; one member from the Division of State Police
1896 and one member from the Division of Scientific Services appointed by
1897 the Commissioner of Public Safety; one member from Connecticut
1898 Sexual Assault Crisis Services, Inc. appointed by its board of directors;
1899 one member from the Connecticut Hospital Association appointed by

1900 the president of the association; one emergency physician appointed
1901 by the president of the Connecticut College of Emergency Physicians;
1902 one obstetrician-gynecologist and one pediatrician appointed by the
1903 president of the Connecticut State Medical Society; one nurse
1904 appointed by the president of the Connecticut Nurses' Association; one
1905 emergency nurse appointed by the president of the Emergency Nurses'
1906 Association of Connecticut; and one police chief appointed by the
1907 president of the Connecticut Police Chiefs Association. The Chief
1908 State's Attorney or a designee shall be chairman of the commission.
1909 The commission shall be within the Division of Criminal Justice for
1910 administrative purposes only.

1911 Sec. 71. Subsection (d) of section 31-3g of the general statutes is
1912 repealed and the following is substituted in lieu thereof (*Effective July*
1913 *1, 2003*):

1914 (d) The Labor Commissioner shall establish an Advisory Council on
1915 Displaced Homemakers and appoint not less than ten nor more than
1916 fifteen members, including representatives from the Labor
1917 Department, the Departments of Education, Higher Education and
1918 Social Services [, the Permanent Commission on the Status of Women]
1919 and providers of assistance and program access services, and such
1920 other members as the commissioner deems necessary. The advisory
1921 council shall consult with and advise the Labor Commissioner and the
1922 state-wide coordinator of services for displaced homemakers as to
1923 criteria which shall be used to identify displaced homemakers and
1924 determine programs and services appropriate to the skills
1925 development of the applying displaced homemaker. The advisory
1926 council shall develop specific recommendations for funding
1927 multiservice programs which meet the training and job placement
1928 needs of displaced homemakers.

1929 Sec. 72. Section 31-3cc of the general statutes is repealed and the
1930 following is substituted in lieu thereof (*Effective July 1, 2003*):

1931 The Connecticut Employment and Training Commission, in

1932 cooperation with [the Permanent Commission on the Status of Women
1933 and] the Commission on Human Rights and Opportunities, shall
1934 regularly collect and analyze data on state-supported training
1935 programs that measure the presence of gender or other systematic bias
1936 and work with the relevant boards and agencies to correct any
1937 problems that are found.

1938 Sec. 73. Section 46b-215a of the general statutes is repealed and the
1939 following is substituted in lieu thereof (*Effective July 1, 2003*):

1940 The Commission for Child Support Guidelines is established to
1941 review the child support guidelines promulgated pursuant to section 8
1942 of public act 85-548*, to establish criteria for the establishment of
1943 guidelines to ensure the appropriateness of child support awards and
1944 to issue updated guidelines not later than October 1, 1993, and every
1945 four years thereafter. Not later than January 1, 1992, the commission
1946 shall also establish criteria and promulgate guidelines to ensure that
1947 such orders of payment on any arrearage and past due support shall
1948 be based on the obligor's ability to pay. Such guidelines shall also
1949 ensure the appropriateness of periodic payments of arrearages when
1950 the obligor (1) is the child's legal guardian and resides with the child,
1951 or (2) is not the child's legal guardian but has resided with the child
1952 either for at least six months immediately preceding the order of
1953 payment of arrearage or for at least six months of the twelve months
1954 immediately preceding such order. In such cases, the commission shall
1955 consider exemptions similar to those in the uniform contribution scale
1956 adopted pursuant to section 4a-12. Updated arrearage guidelines shall
1957 be issued at the same time as the child support guidelines. The
1958 commission shall consist of eleven members as follows: The Chief
1959 Court Administrator or [his] the administrator's designee, the
1960 Commissioner of Social Services or [his] the commissioner's designee,
1961 the Attorney General or [his] the Attorney General's designee, the
1962 chairpersons and ranking members of the joint standing committee on
1963 judiciary or their designees and a representative of the Connecticut Bar
1964 Association, a representative of legal services [,] and a person who

1965 represents the financial concerns of child support obligors, [and a
1966 representative of the Permanent Commission on the Status of Women,]
1967 all of whom shall be appointed by the Governor. The chairperson of
1968 the commission shall be elected by the members of the commission.

1969 Sec. 74. Subsection (a) of section 51-10c of the general statutes is
1970 repealed and the following is substituted in lieu thereof (*Effective July*
1971 *1, 2003*):

1972 (a) There is established a Commission on Racial and Ethnic
1973 Disparity in the Criminal Justice System. The commission shall consist
1974 of the Chief Court Administrator, the Chief State's Attorney, the Chief
1975 Public Defender, the Commissioner of Public Safety, the Commissioner
1976 of Correction, the Commissioner of Children and Families, the Child
1977 Advocate, the Victim Advocate, the chairperson of the Board of Parole,
1978 [the chairperson of the African-American Affairs Commission, the
1979 chairperson of the Latino and Puerto Rican Affairs Commission, or
1980 their designees,] a representative of municipal police chiefs, a
1981 representative of a coalition representing police and correctional
1982 officers, six members appointed one each by the president pro tempore
1983 of the Senate, the speaker of the House of Representatives, the majority
1984 leader of the Senate, the majority leader of the House of
1985 Representatives, the minority leader of the Senate and the minority
1986 leader of the House of Representatives, and two members appointed
1987 by the Governor. The Chief Court Administrator or said
1988 administrator's designee shall serve as chairperson of the commission.
1989 The commission shall meet at such times as it deems necessary.

1990 Sec. 75. Subsection (a) of section 51-344a of the general statutes is
1991 repealed and the following is substituted in lieu thereof (*Effective July*
1992 *1, 2003*):

1993 (a) Whenever the term "judicial district of Hartford-New Britain" or
1994 "judicial district of Hartford-New Britain at Hartford" is used or
1995 referred to in the following sections of the general statutes, it shall be
1996 deemed to mean or refer to the judicial district of Hartford on and after

1997 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-
 1998 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,
 1999 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-
 2000 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-
 2001 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,
 2002 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-
 2003 125, 15-126, 16-41, 16a-5, 17b-60, 17b-64, 17b-100, 17b-238, 17b-531, 19a-
 2004 85, 19a-86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f,
 2005 20-13e, 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133,
 2006 20-154, 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238,
 2007 20-247, 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414,
 2008 21a-55, 21a-190i, 21a-196, 22-7, 22-37, 22-64, 22-195, 22-228, 22-248, 22-
 2009 254, 22-320d, 22-326a, 22-344b, 22-386, 22a-6b, 22a-7, 22a-16, 22a-30,
 2010 22a-34, 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-
 2011 163m, 22a-167, 22a-180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225,
 2012 22a-226, 22a-226c, 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-
 2013 285g, 22a-285j, 22a-310, 22a-342a, 22a-344, 22a-361a, 22a-374, 22a-376,
 2014 22a-408, 22a-430, 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e,
 2015 23-65m, 25-32e, 25-36, 28-5, 29-158, 29-161b, 29-317, 29-323, 29-329, 29-
 2016 334, 29-340, 29-369, 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-
 2017 273, 31-284, 31-285, 31-339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-
 2018 187, 36a-471a, 36a-494, 36a-517, 36a-587, 36a-647, 36a-684, 36a-718, 36a-
 2019 807, 36b-26, 36b-27, 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-
 2020 41, 38a-52, 38a-134, 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209,
 2021 38a-225, 38a-226b, 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687,
 2022 38a-774, 38a-776, 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c,
 2023 42-110d, 42-110k, 42-110p, 42-182, [46a-5,] 46a-56, 46a-100, 47a-21, 49-
 2024 73, 51-44a, 51-81b, 51-194, 52-146j, 53-392d and 54-211a.

2025 Sec. 76. (NEW) (*Effective July 1, 2003*) (a) All functions, powers and
 2026 duties of the State Ethics Commission, the State Elections Enforcement
 2027 Commission and the Freedom of Information Commission are
 2028 transferred to the Commission on Fair and Open Government
 2029 established in section 77 of this act. Wherever the terms "State Ethics
 2030 Commission", "State Elections Enforcement Commission" or "Freedom

2031 of Information Commission" are used in the general statutes, those
2032 terms shall be deemed to mean or refer to the Commission on Fair and
2033 Open Government. The Commission on Fair and Open Government
2034 shall constitute a successor as to said commissions and such matters
2035 and is not a new authority. Any reference in the general statutes to the
2036 executive director of the State Ethics Commission, the State Elections
2037 Enforcement Commission or the Freedom of Information Commission
2038 shall be deemed to mean or refer to the executive director of the
2039 Commission on Fair and Open Government.

2040 (b) The transfer of such functions, powers and duties of said
2041 commissions pursuant to the provisions of this section shall not affect
2042 any action or proceeding, civil or criminal, pending on or before July 1,
2043 2003, and the Commission on Fair and Open Government shall be
2044 deemed substituted in such action by operation of this section without
2045 motion or order.

2046 (c) Any contract, right of action or matter undertaken or
2047 commenced by the State Ethics Commission, the State Elections
2048 Enforcement Commission or the Freedom of Information Commission,
2049 the functions, powers and duties of which are transferred by this
2050 section, may be conducted and completed by the Commission on Fair
2051 and Open Government in the same manner and under the same terms
2052 and conditions and with the same effect as if undertaken or
2053 commenced and conducted and completed by the State Ethics
2054 Commission, the State Elections Enforcement Commission and the
2055 Freedom of Information Commission.

2056 (d) The term of each member serving on the State Ethics
2057 Commission, the State Elections Enforcement Commission and the
2058 Freedom of Information Commission on June 30, 2003, shall terminate
2059 on said date.

2060 Sec. 77. (NEW) (*Effective July 1, 2003*) (a) There shall be a
2061 Commission on Fair and Open Government consisting of eleven
2062 members to be appointed by the Governor. On or before July 1, 2003,

2063 the Governor shall appoint the initial members of the commission as
2064 follows: Two members to serve for terms of two years from said July
2065 first, three members to serve for terms of three years from said July
2066 first and six members to serve for terms of four years from said July
2067 first. Upon the expiration of such terms, and thereafter, the Governor
2068 shall appoint members to serve for terms of four years from July first
2069 in the year of their appointment.

2070 (b) All members shall be electors of the state. No member or
2071 employee of such commission shall (1) hold or campaign for any
2072 public office; (2) have held public office or have been a candidate for
2073 public office for a three-year period prior to appointment; (3) hold
2074 office in any political party or political committee or be a member of
2075 any organization or association organized primarily for the purpose of
2076 influencing legislation or decisions of public agencies; or (4) be an
2077 individual who is a registrant, as defined in subsection (q) of section 1-
2078 91 of the general statutes.

2079 (c) The Governor shall select one of the commission's members as
2080 chairperson who shall preside at meetings of the commission. Six
2081 members of the commission shall constitute a quorum. Except as
2082 provided in subsections (a) and (b) of section 1-82, as amended by this
2083 act, subsection (b) of section 1-88, subdivision (5) of section 1-92,
2084 subsections (a) and (b) of section 1-93 and subsection (b) of section 1-99
2085 of the general statutes, a majority vote of the quorum shall be required
2086 for action of the commission.

2087 (d) Any matter before the commission, except hearings held
2088 pursuant to the provisions of subsection (b) of section 1-82, as
2089 amended by this act, or subsection (b) of section 1-93 of the general
2090 statutes, may be assigned by the commission to two of its members to
2091 conduct an investigation or hearing, as the case may be, to ascertain
2092 the facts and report thereon to the commission with a recommendation
2093 for action.

2094 (e) Members of the commission shall be compensated at the rate of

2095 fifty dollars per day for each day they attend a meeting or hearing and
2096 shall receive reimbursement for their necessary expenses incurred in
2097 the discharge of their official duties.

2098 (f) The commission shall not be construed to be a board or
2099 commission within the meaning of section 4-9a of the general statutes,
2100 as amended by this act.

2101 (g) The commission may employ an executive director and
2102 necessary staff within available appropriations.

2103 Sec. 78. (NEW) (*Effective July 1, 2003*) The members and employees
2104 of the Commission on Fair and Open Government shall adhere to the
2105 following code of ethics under which the members and employees
2106 shall: (1) Observe high standards of conduct so that the integrity and
2107 independence of the Commission on Fair and Open Government may
2108 be preserved; (2) respect and comply with the law and conduct
2109 themselves at all times in a manner which promotes public confidence
2110 in the integrity and impartiality of the commission; (3) be faithful to
2111 the law and maintain professional competence in the law; (4) be
2112 unswayed by partisan interests, public clamor or fear of criticism; (5)
2113 maintain order and decorum in proceedings of the commission; (6) be
2114 patient, dignified and courteous to all persons who appear in
2115 commission proceedings and with other persons with whom the
2116 members and employees deal in their official capacities; (7) refrain
2117 from making any statement outside of a commission proceeding which
2118 would have a likelihood of prejudicing a commission proceeding; (8)
2119 refrain from making any statement outside of a commission
2120 proceeding that a reasonable person would expect to be disseminated
2121 by means of public communication if the member or employee should
2122 know that such statement would have a likelihood of materially
2123 prejudicing or embarrassing a complainant or a respondent; (9)
2124 preserve confidences of complainants and respondents; (10) exercise
2125 independent professional judgment on behalf of the commission; and
2126 (11) represent the commission competently.

2127 Sec. 79. (NEW) (*Effective July 1, 2003*) (a) The Commission on Fair
2128 and Open Government shall: (1) Compile and maintain an index of all
2129 reports, advisory opinions, memoranda filed under the provisions of
2130 subsection (f) of section 1-82a of the general statutes and statements
2131 filed by and with the commission to facilitate public access to such
2132 reports and statements as provided by part I of chapter 10 of the
2133 general statutes; (2) preserve advisory opinions permanently, preserve
2134 memoranda filed under subsection (f) of section 1-82a of the general
2135 statutes, and statements and reports filed by and with the commission
2136 for a period of five years from the date of receipt; (3) upon the
2137 concurring vote of four of its members, issue advisory opinions with
2138 regard to the requirements of part I of chapter 10 of the general
2139 statutes, upon the request of any person subject to the provisions of
2140 part I of chapter 10 of the general statutes, and publish such advisory
2141 opinions in the Connecticut Law Journal. Advisory opinions rendered
2142 by the commission, until amended or revoked, shall be binding on the
2143 commission and shall be deemed to be final decisions of the
2144 commission for purposes of section 1-87 of the general statutes. Any
2145 advisory opinion concerning the person who requested the opinion
2146 and who acted in reliance thereon, in good faith, shall be binding upon
2147 the commission, and it shall be an absolute defense in any criminal
2148 action brought under the provisions of part I of chapter 10 of the
2149 general statutes, that the accused acted in reliance upon such advisory
2150 opinion; (4) report annually, prior to April fifteenth, to the Governor
2151 summarizing the activities of the commission; and (5) adopt
2152 regulations, in accordance with chapter 54 of the general statutes, to
2153 carry out the purposes of chapter 10 of the general statutes.

2154 (b) The Commission on Fair and Open Government shall, subject to
2155 the provisions of the Freedom of Information Act, as defined in section
2156 1-200 of the general statutes, promptly review the alleged violation of
2157 the Freedom of Information Act and issue an order pertaining to the
2158 same. The commission shall have the power to investigate all alleged
2159 violations of the Freedom of Information Act and may for the purpose
2160 of investigating any violation hold a hearing, administer oaths,

2161 examine witnesses, receive oral and documentary evidence, have the
2162 power to subpoena witnesses under procedural rules adopted by the
2163 commission to compel attendance and to require the production for
2164 examination of any books and papers which the commission deems
2165 relevant in any matter under investigation or in question. In case of a
2166 refusal to comply with any such subpoena or to testify with respect to
2167 any matter upon which that person may be lawfully interrogated, the
2168 superior court for the judicial district of Hartford, on application of the
2169 commission, may issue an order requiring such person to comply with
2170 such subpoena and to testify. Failure to obey any such order of the
2171 court may be punished by the court as a contempt thereof.

2172 (c) The Commission on Fair and Open Government and the
2173 Department of Information Technology, with respect to access to and
2174 disclosure of computer-stored public records, shall conduct training
2175 sessions, at least annually, for members of public agencies for the
2176 purpose of educating such members as to the requirements of sections
2177 1-7 to 1-14, inclusive, 1-16 to 1-18, inclusive, 1-200 to 1-202, inclusive, 1-
2178 206, as amended by this act, 1-210 to 1-217, inclusive, 1-225 to 1-232,
2179 inclusive, 1-240, as amended by this act, 1-241 and 19a-342 of the
2180 general statutes.

2181 (d) The Commission on Fair and Open Government shall create,
2182 publish and provide to the chief elected official of each municipality a
2183 model ordinance concerning the establishment by any municipality of
2184 a municipal freedom of information advisory board to facilitate the
2185 informed and efficient exchange of information between the
2186 commission and such municipality. The commission may amend the
2187 model ordinance from time to time.

2188 (e) If the Commission on Fair and Open Government does not, by
2189 the one hundred twentieth day following receipt of the complaint,
2190 either issue a decision or render its determination that probable cause
2191 or no probable cause exists for one or more violations of state election
2192 laws, the complainant or respondent may apply to the superior court

2193 for the judicial district of Hartford for an order to show cause why the
2194 commission has not acted upon the complaint and to provide evidence
2195 that the commission has unreasonably delayed action. Such
2196 proceeding shall be privileged with respect to assignment for trial. The
2197 commission shall appear and give appropriate explanation in the
2198 matter. The court may, in its discretion, order the commission to: (1)
2199 Continue to proceed pursuant to section 9-7b of the general statutes, as
2200 amended by this act; (2) act by a date certain; or (3) refer the complaint
2201 to the Chief State's Attorney. Nothing in this subsection shall require
2202 the commission, in any proceeding brought pursuant to this
2203 subsection, to disclose records or documents which are not required to
2204 be disclosed pursuant to subsection (b) of section 1-210 of the general
2205 statutes. Nothing in this subsection shall preclude the commission
2206 from continuing its investigation or taking any action permitted by
2207 section 9-7b of the general statutes, as amended by this act, unless
2208 otherwise ordered by the court. The commission or any other party
2209 may, within seven days after a decision by the court under this
2210 subsection, file an appeal of the decision with the appellate court.

2211 Sec. 80. Subsections (a) and (b) of section 1-82 of the general statutes
2212 are repealed and the following is substituted in lieu thereof (*Effective*
2213 *July 1, 2003*):

2214 (a) (1) Upon the complaint of any person on a form prescribed by
2215 the commission, signed under penalty of false statement, or upon its
2216 own complaint, the commission shall investigate any alleged violation
2217 of this part. Not later than [five] fourteen days after the receipt or
2218 issuance of such complaint, the commission shall provide notice of
2219 such receipt or issuance and a copy of the complaint by registered or
2220 certified mail to any respondent against whom such complaint is filed
2221 and shall provide notice of the receipt of such complaint to the
2222 complainant. When the commission undertakes an evaluation of a
2223 possible violation of this part prior to the filing of a complaint by the
2224 commission, the subject of the evaluation shall be notified within five
2225 business days after a commission staff member's first contact with a

2226 third party concerning the matter.

2227 (2) In the conduct of its investigation of an alleged violation of this
2228 part, the commission shall have the power to hold hearings, administer
2229 oaths, examine witnesses, receive oral and documentary evidence,
2230 subpoena witnesses under procedural rules adopted by the
2231 commission as regulations in accordance with the provisions of
2232 chapter 54 to compel attendance before the commission and to require
2233 the production for examination by the commission of any books and
2234 papers which the commission deems relevant in any matter under
2235 investigation or in question. In the exercise of such powers, the
2236 commission may use the services of the state police, who shall provide
2237 the same upon the commission's request. The commission shall make a
2238 record of all proceedings conducted pursuant to this subsection. Any
2239 witness summoned before the commission shall receive the witness fee
2240 paid to witnesses in the courts of this state. During the investigation
2241 the respondent shall have the right to appear and be heard and to offer
2242 any information which may tend to clear [him] the respondent of
2243 probable cause to believe [he] the respondent has violated any
2244 provision of this part. The respondent shall also have the right to be
2245 represented by legal counsel and to examine and cross-examine
2246 witnesses. Not later than ten days prior to the commencement of any
2247 hearing conducted pursuant to this subsection, the commission shall
2248 provide the respondent with a list of its intended witnesses. The
2249 commission shall make no finding that there is probable cause to
2250 believe the respondent is in violation of any provision of this part
2251 except upon the concurring vote of four of its members.

2252 (b) If a preliminary investigation indicates that probable cause exists
2253 for the violation of a provision of this part, the commission shall
2254 initiate hearings to determine whether there has been a violation of
2255 this part. A judge trial referee, who shall be assigned by the Chief
2256 Court Administrator and who shall be compensated in accordance
2257 with section 52-434 out of funds available to the commission, shall
2258 preside over such hearing and shall rule on all matters concerning the

2259 application of the rules of evidence, which shall be the same as in
2260 judicial proceedings. The trial referee shall have no vote in any
2261 decision of the commission. All hearings of the commission held
2262 pursuant to this subsection shall be open. At such hearing the
2263 commission shall have the same powers as under subsection (a) of this
2264 section and the respondent shall have the right to be represented by
2265 legal counsel, the right to compel attendance of witnesses and the
2266 production of books, documents, records and papers and to examine
2267 and cross-examine witnesses. Not later than ten days prior to the
2268 commencement of any hearing conducted pursuant to this subsection,
2269 the commission shall provide the respondent with a list of its intended
2270 witnesses. The judge trial referee shall, while engaged in the discharge
2271 of his duties as provided in this subsection, have the same authority as
2272 is provided in section 51-35 over witnesses who refuse to obey a
2273 subpoena or to testify with respect to any matter upon which such
2274 witness may be lawfully interrogated, and may commit any such
2275 witness for contempt for a period no longer than thirty days. The
2276 commission shall make a record of all proceedings pursuant to this
2277 subsection. The commission shall find no person in violation of any
2278 provision of this part except upon the concurring vote of five of its
2279 members. Not later than [fifteen] thirty days after the public hearing
2280 conducted in accordance with this subsection, the commission shall
2281 publish its finding and a memorandum of the reasons [therefor] for
2282 the findings. Such finding and memorandum shall be deemed to be the
2283 final decision of the commission on the matter for the purposes of
2284 chapter 54. The respondent, if aggrieved by the finding and
2285 memorandum, may appeal [therefrom] to the Superior Court in
2286 accordance with the provisions of section 4-183.

2287 Sec. 81. Subsection (c) of section 1-82a of the general statutes is
2288 repealed and the following is substituted in lieu thereof (*Effective July*
2289 *1, 2003*):

2290 (c) Not later than [three] seven business days after the termination
2291 of the investigation, the commission shall inform the complainant and

2292 the respondent of its finding and provide them a summary of its
2293 reasons for making that finding. The commission shall publish its
2294 finding upon the respondent's request and may also publish a
2295 summary of its reasons for making such finding.

2296 Sec. 82. Subsection (b) of section 1-206 of the general statutes is
2297 repealed and the following is substituted in lieu thereof (*Effective July*
2298 *1, 2003*):

2299 (b) (1) Any person denied the right to inspect or copy records under
2300 section 1-210 or wrongfully denied the right to attend any meeting of a
2301 public agency or denied any other right conferred by the Freedom of
2302 Information Act may appeal [therefrom] to the [Freedom of
2303 Information] Commission on Fair and Open Government, by filing a
2304 notice of appeal with said commission. A notice of appeal shall be filed
2305 within thirty days after such denial, except in the case of an unnoticed
2306 or secret meeting, in which case the appeal shall be filed within thirty
2307 days after the person filing the appeal receives notice in fact that such
2308 meeting was held. For purposes of this subsection, such notice of
2309 appeal shall be deemed to be filed on the date it is received by said
2310 commission or on the date it is postmarked, if received more than
2311 thirty days after the date of the denial from which such appeal is taken.
2312 [Upon receipt of] Not later than fourteen days after receiving such
2313 notice, the commission shall serve upon all parties, by certified or
2314 registered mail, a copy of such notice together with any other notice or
2315 order of such commission. In the case of the denial of a request to
2316 inspect or copy records contained in a public employee's personnel or
2317 medical file or similar file under subsection (c) of section 1-214, the
2318 commission shall include with its notice or order an order requiring
2319 the public agency to notify any employee whose records are the subject
2320 of an appeal, and the employee's collective bargaining representative,
2321 if any, of the commission's proceedings and, if any such employee or
2322 collective bargaining representative has filed an objection under said
2323 subsection (c), the agency shall provide the required notice to such
2324 employee and collective bargaining representative by certified mail,

2325 return receipt requested or by hand delivery with a signed receipt. A
2326 public employee whose personnel or medical file or similar file is the
2327 subject of an appeal under this subsection may intervene as a party in
2328 the proceedings on the matter before the commission. Said commission
2329 shall, after due notice to the parties, hear and decide the appeal within
2330 one year after the filing of the notice of appeal. The commission shall
2331 adopt regulations in accordance with chapter 54, establishing criteria
2332 for those appeals which shall be privileged in their assignment for
2333 hearing. Any such appeal shall be heard within [thirty] sixty days after
2334 receipt of a notice of appeal and decided within [sixty] one hundred
2335 twenty days after the hearing. If a notice of appeal concerns an
2336 announced agency decision to meet in executive session or an ongoing
2337 agency practice of meeting in executive sessions, for a stated purpose,
2338 the commission or a member or members of the commission
2339 designated by its chairperson shall serve notice upon the parties in
2340 accordance with this section and hold a preliminary hearing on the
2341 appeal within seventy-two hours after receipt of the notice, provided
2342 such notice shall be given to the parties at least forty-eight hours prior
2343 to such hearing. If after the preliminary hearing the commission finds
2344 probable cause to believe that the agency decision or practice is in
2345 violation of sections 1-200 and 1-225, the agency shall not meet in
2346 executive session for such purpose until the commission decides the
2347 appeal. If probable cause is found by the commission, it shall conduct a
2348 final hearing on the appeal and render its decision within five days of
2349 the completion of the preliminary hearing.

2350 (2) In any appeal to the [Freedom of Information] Commission on
2351 Fair and Open Government under subdivision (1) of this subsection or
2352 subsection (c) of this section, the commission may confirm the action of
2353 the agency or order the agency to provide relief that the commission,
2354 in its discretion, believes appropriate to rectify the denial of any right
2355 conferred by the Freedom of Information Act. The commission may
2356 declare null and void any action taken at any meeting which a person
2357 was denied the right to attend and may require the production or

2358 copying of any public record. In addition, upon the finding that a
2359 denial of any right created by the Freedom of Information Act was
2360 without reasonable grounds and after the custodian or other official
2361 directly responsible for the denial has been given an opportunity to be
2362 heard at a hearing conducted in accordance with sections 4-176e to 4-
2363 184, inclusive, the commission may, in its discretion, impose against
2364 the custodian or other official a civil penalty of not less than twenty
2365 dollars nor more than one thousand dollars. If the commission finds
2366 that a person has taken an appeal under this subsection frivolously,
2367 without reasonable grounds and solely for the purpose of harassing
2368 the agency from which the appeal has been taken, after such person
2369 has been given an opportunity to be heard at a hearing conducted in
2370 accordance with sections 4-176e to 4-184, inclusive, the commission
2371 may, in its discretion, impose against that person a civil penalty of not
2372 less than twenty dollars nor more than one thousand dollars. The
2373 commission shall notify a person of a penalty levied against him
2374 pursuant to this subsection by written notice sent by certified or
2375 registered mail. If a person fails to pay the penalty within thirty days
2376 of receiving such notice, the superior court for the judicial district of
2377 Hartford shall, on application of the commission, issue an order
2378 requiring the person to pay the penalty imposed. If the executive
2379 director of the commission has reason to believe an appeal under
2380 subdivision (1) of this subsection or subsection (c) of this section (A)
2381 presents a claim beyond the commission's jurisdiction; (B) would
2382 perpetrate an injustice; or (C) would constitute an abuse of the
2383 commission's administrative process, the executive director shall not
2384 schedule the appeal for hearing without first seeking and obtaining
2385 leave of the commission. The commission shall provide due notice to
2386 the parties and review affidavits and written argument that the parties
2387 may submit and grant or deny such leave summarily at its next regular
2388 meeting. The commission shall grant such leave unless it finds that the
2389 appeal: (i) Does not present a claim within the commission's
2390 jurisdiction; (ii) would perpetrate an injustice; or (iii) would constitute
2391 an abuse of the commission's administrative process. Any party

2392 aggrieved by the commission's denial of such leave may apply to the
2393 superior court for the judicial district of Hartford, within fifteen days
2394 of the commission meeting at which such leave was denied, for an
2395 order requiring the commission to hear such appeal.

2396 (3) In making the findings and determination under subdivision (2)
2397 of this subsection the commission shall consider the nature of any
2398 injustice or abuse of administrative process, including but not limited
2399 to: (A) The nature, content, language or subject matter of the request or
2400 the appeal; (B) the nature, content, language or subject matter of prior
2401 or contemporaneous requests or appeals by the person making the
2402 request or taking the appeal; and (C) the nature, content, language or
2403 subject matter of other verbal and written communications to any
2404 agency or any official of any agency from the person making the
2405 request or taking the appeal.

2406 (4) Notwithstanding any provision of this subsection to the
2407 contrary, in the case of an appeal to the commission of a denial by a
2408 public agency, the commission may, upon motion of such agency,
2409 confirm the action of the agency and dismiss the appeal without a
2410 hearing if it finds, after examining the notice of appeal and construing
2411 all allegations most favorably to the appellant, that (A) the agency has
2412 not violated the Freedom of Information Act, or (B) the agency has
2413 committed a technical violation of the Freedom of Information Act that
2414 constitutes a harmless error that does not infringe the appellant's rights
2415 under said act.

2416 Sec. 83. Section 1-240 of the general statutes is repealed and the
2417 following is substituted in lieu thereof (*Effective July 1, 2003*):

2418 (a) Any person who wilfully, knowingly and with intent to do so,
2419 destroys, mutilates or otherwise disposes of any public record without
2420 the approval required under section 1-18 or unless pursuant to chapter
2421 47 or 871, or who alters any public record, shall be guilty of a class A
2422 misdemeanor and each such occurrence shall constitute a separate
2423 offense.

2424 (b) Any member of any public agency who fails to comply with an
2425 order of the [Freedom of Information] Commission on Fair and Open
2426 Government related to public records shall be guilty of a class B
2427 misdemeanor and each occurrence of failure to comply with such
2428 order shall constitute a separate offense.

2429 Sec. 84. Section 4-9a of the general statutes is repealed and the
2430 following is substituted in lieu thereof (*Effective July 1, 2003*):

2431 (a) The Governor shall appoint the chairperson and executive
2432 director, if any, of all boards and commissions within the Executive
2433 Department, except the Board of Governors of Higher Education,
2434 provided the Governor shall appoint the initial chairman of said board
2435 as provided in section 10a-2, the State Properties Review Board, [the
2436 State Elections Enforcement Commission,] the Commission on Human
2437 Rights and Opportunities, [the State Ethics Commission,] the
2438 Commission on Aging and the Commission on Fire Prevention and
2439 Control.

2440 (b) Public members shall constitute not less than one-third of the
2441 members of each board and commission within the Executive
2442 Department, except the Gaming Policy Board and the Commission on
2443 Human Rights and Opportunities. Public member means an elector of
2444 the state who has no substantial financial interest in, is not employed
2445 in or by, and is not professionally affiliated with, any industry,
2446 profession, occupation, trade or institution regulated or licensed by the
2447 relevant board or commission, and who has had no professional
2448 affiliation with any such industry, profession, occupation, trade or
2449 institution for three years preceding his appointment to the board or
2450 commission. Except as otherwise specifically provided by the general
2451 statutes, this section shall not apply to the Commission on Fire
2452 Prevention and Control, boards and commissions the membership of
2453 which is entirely composed of state department heads, elected officials
2454 or deputies appointed by such department heads or where the
2455 membership of such board or commission is determined in accordance

2456 with the provisions of any federal law.

2457 (c) Notwithstanding any provision of law to the contrary, the term
2458 of each member of each board and commission within the executive
2459 branch, except the State Board of Education, the Board of Governors of
2460 Higher Education, the Gaming Policy Board, the Commission on
2461 Human Rights and Opportunities, [the State Elections Enforcement
2462 Commission,] the State Properties Review Board, [the State Ethics
2463 Commission,] the Commission on Medicolegal Investigations, the
2464 Psychiatric Security Review Board, the Commission on Fire Prevention
2465 and Control, the E 9-1-1 Commission, the State Commission on the
2466 Arts, the Commission on Aging, the board of trustees of each
2467 constituent unit of the state system of higher education and the Board
2468 of Parole, commencing on or after July 1, 1979, shall be coterminous
2469 with the term of the Governor or until a successor is chosen whichever
2470 is later.

2471 (d) Each member of each board and commission within the
2472 executive branch shall serve at the pleasure of the appointing authority
2473 except where otherwise specifically provided by any provision of the
2474 general statutes.

2475 Sec. 85. Section 4d-30 of the general statutes is repealed and the
2476 following is substituted in lieu thereof (*Effective July 1, 2003*):

2477 As used in this section and sections 4d-31 to 4d-44, inclusive:

2478 (1) "Contract" means a contract for state agency information system
2479 or telecommunication system facilities, equipment or services, which is
2480 awarded pursuant to this chapter or [subsection (e) of section 1-205,]
2481 subsection (c) of section 1-211, subsection (b) of section 1-212, section 4-
2482 5, subsection (a) of section 10a-151b, subsection (a) of section 19a-110
2483 or subsection (b) of section 32-6i.

2484 (2) "Contractor" means a business entity or individual who is
2485 awarded a contract or an amendment to a contract.

2486 (3) "Subcontractor" means a subcontractor of a contractor for work
2487 under a contract or an amendment to a contract.

2488 Sec. 86. Subsection (d) of section 1-79 of the general statutes is
2489 repealed and the following is substituted in lieu thereof (*Effective July*
2490 *1, 2003*):

2491 (d) "Commission" means the [State Ethics Commission established
2492 in section 1-80] Commission on Fair and Open Government
2493 established in section 77 of this act.

2494 Sec. 87. Subsection (c) of section 1-91 of the general statutes is
2495 repealed and the following is substituted in lieu thereof (*Effective July*
2496 *1, 2003*):

2497 (c) "Commission" means the [State Ethics Commission established
2498 under section 1-80] Commission on Fair and Open Government
2499 established in section 77 of this act.

2500 Sec. 88. Section 1-218 of the general statutes is repealed and the
2501 following is substituted in lieu thereof (*Effective July 1, 2003*):

2502 Each contract in excess of two million five hundred thousand
2503 dollars between a public agency and a person for the performance of a
2504 governmental function shall (1) provide that the public agency is
2505 entitled to receive a copy of records and files related to the
2506 performance of the governmental function, and (2) indicate that such
2507 records and files are subject to the Freedom of Information Act and
2508 may be disclosed by the public agency pursuant to the Freedom of
2509 Information Act. No request to inspect or copy such records or files
2510 shall be valid unless the request is made to the public agency in
2511 accordance with the Freedom of Information Act. Any complaint by a
2512 person who is denied the right to inspect or copy such records or files
2513 shall be brought to the [Freedom of Information] Commission on Fair
2514 and Open Government in accordance with the provisions of [sections
2515 1-205 and] section 1-206, as amended by this act.

2516 Sec. 89. Section 4d-47 of the general statutes is repealed and the
2517 following is substituted in lieu thereof (*Effective July 1, 2003*):

2518 With respect to any state employee whose position is eliminated or
2519 who is laid off as a result of any contract or amendment to a contract
2520 which is subject to the provisions of this chapter and [subsection (e) of
2521 section 1-205,] subsection (c) of section 1-211, subsection (b) of section
2522 1-212, section 4-5, 4a-50, 4a-51, subsection (b) of section 4a-57,
2523 subsection (a) of section 10a-151b, subsection (a) of section 19a-110 or
2524 subsection (b) of section 32-6i, or any subcontract for work under such
2525 contract or amendment, (1) the contractor shall hire the employee,
2526 upon application by the employee, unless the employee is hired by a
2527 subcontractor of the contractor, or (2) the employee may transfer to
2528 any vacant position in state service for which such employee is
2529 qualified, to the extent allowed under the provisions of existing
2530 collectively bargained agreements and the general statutes. If the
2531 contractor or any such subcontractor hires any such state employee
2532 and does not provide the employee with fringe benefits which are
2533 equivalent to, or greater than, the fringe benefits that the employee
2534 would have received in state service, the state shall, for two years after
2535 the employee terminates from state service, provide to the employee
2536 either (A) the same benefits that such employee received from the
2537 state, or (B) compensation in an amount which represents the
2538 difference in the value of the fringe benefits that such employee
2539 received when in state service and the fringe benefits that such
2540 employee receives from the contractor or subcontractor.

2541 Sec. 90. Section 4d-48 of the general statutes is repealed and the
2542 following is substituted in lieu thereof (*Effective July 1, 2003*):

2543 No contract or subcontract for state agency information system or
2544 telecommunication system facilities, equipment or services may be
2545 awarded to any business entity or individual pursuant to this chapter
2546 or [subsection (e) of section 1-205,] subsection (c) of section 1-211,
2547 subsection (b) of section 1-212, section 4-5, subsection (a) of section

2548 10a-151b, subsection (a) of section 19a-110 or subsection (b) of section
2549 32-6i if such business entity or individual previously had a contract
2550 with the state or a state agency to provide information system or
2551 telecommunication system facilities, equipment or services and such
2552 prior contract was finally terminated by the state or a state agency
2553 within the previous five years for the reason that such business entity
2554 or individual failed to perform or otherwise breached a material
2555 obligation of the contract related to information system or
2556 telecommunication system facilities, equipment or services. If the
2557 termination of any such previous contract is contested in an arbitration
2558 or judicial proceeding, the termination shall not be final until the
2559 conclusion of such arbitration or judicial proceeding. If the fact-finder
2560 determines, or a settlement stipulates, that the contractor failed to
2561 perform or otherwise breached a material obligation of the contract
2562 related to information system or telecommunication system facilities,
2563 equipment or services, any award of a contract pursuant to said
2564 chapter or sections during the pendency of such arbitration or
2565 proceeding shall be rescinded and the bar provided in this section shall
2566 apply to such business entity or individual.

2567 Sec. 91. Subparagraph (E) of subdivision (10) of subsection (c) of
2568 section 7-148 of the general statutes is repealed and the following is
2569 substituted in lieu thereof (*Effective July 1, 2003*):

2570 (E) Adopt the model ordinance concerning a municipal freedom of
2571 information advisory board created under subsection [(f) of section 1-
2572 205] (d) of section 79 of this act and establish a municipal freedom of
2573 information advisory board as provided by said ordinance and said
2574 section.

2575 Sec. 92. Section 7-479h of the general statutes is repealed and the
2576 following is substituted in lieu thereof (*Effective July 1, 2003*):

2577 The meetings, minutes and records of an interlocal risk
2578 management agency pertaining to claims shall not be subject to
2579 sections 1-201, 1-202, [1-205,] 1-206, as amended by this act, 1-210, 1-

2580 211, 1-213 to 1-217, inclusive, 1-225 to 1-232, inclusive, 1-240, as
2581 amended by this act, 1-241 and 19a-342.

2582 Sec. 93. Section 8-360 of the general statutes is repealed and the
2583 following is substituted in lieu thereof (*Effective July 1, 2003*):

2584 Nothing in sections 1-200, [1-205,] 1-206, as amended by this act, 1-
2585 210 to 1-213, inclusive, 1-225 to 1-232, inclusive, 1-240, as amended by
2586 this act, and 19a-342 shall be construed to require a public agency, as
2587 defined in section 1-200, to disclose any information indicating the
2588 location of a shelter or transitional housing for victims of domestic
2589 violence.

2590 Sec. 94. Subsection (c) of section 12-398 of the general statutes is
2591 repealed and the following is substituted in lieu thereof (*Effective July*
2592 *1, 2003*):

2593 (c) (1) Notwithstanding the provisions of sections 1-200, [1-205,] 1-
2594 206, as amended by this act, 1-210 to 1-213, inclusive, 1-225 to 1-232,
2595 inclusive, 1-240, as amended by this act, and 19a-342 a court of probate
2596 shall not disclose to any person or state or municipal board,
2597 commission, department or agency, estate tax returns and estate tax
2598 return information that are provided to such court under this chapter,
2599 except the Probate Court shall, upon request, disclose such returns and
2600 return information to the Probate Court Administrator and to the
2601 Commissioner of Revenue Services, and may disclose such a return or
2602 return information to an executor, administrator, trustee, grantee,
2603 donee, beneficiary, surviving joint owner or other interested party,
2604 when any such person establishes, to the satisfaction of such court, that
2605 he or she has a material interest which will be affected by information
2606 contained in such return.

2607 (2) Notwithstanding the provisions of sections 1-200, [1-205,] 1-206,
2608 as amended by this act, 1-210 to 1-213, inclusive, 1-225 to 1-232,
2609 inclusive, 1-240, as amended by this act, and 19a-342 the Probate Court
2610 Administrator shall not disclose to any person or state or municipal

board, commission, department or agency, estate tax returns and estate tax return information that are provided to such administrator, except that the Probate Court Administrator shall, upon request, disclose such returns and return information to the Commissioner of Revenue Services and a return and return information concerning a decedent to the court of probate for the district within which the decedent resided at the date of his death or, if the decedent died a nonresident of this state, to the court of probate for the district within which real estate or tangible personal property of the decedent is situated, and may disclose such a return or return information to an executor, administrator, trustee, grantee, donee, beneficiary, surviving joint owner or other interested party, when any such person establishes, to the satisfaction of such administrator, that he has a material interest which will be affected by information contained in such return.

Sec. 95. Subsection (a) of section 51-344a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2003*):

(a) Whenever the term "judicial district of Hartford-New Britain" or "judicial district of Hartford-New Britain at Hartford" is used or referred to in the following sections of the general statutes, it shall be deemed to mean or refer to the judicial district of Hartford on and after September 1, 1998: Sections [1-205,] 1-206, as amended by this act, 2-48, 3-21a, 3-62d, 3-70a, 3-71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g, [9-7a,] 9-7b, as amended by this act, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375, 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-125, 15-126, 16-41, 16a-5, 17b-60, 17b-64, 17b-100, 17b-238, 17b-531, 19a-85, 19a-86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e, 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154, 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247, 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55, 21a-190i,

2644 21a-196, 22-7, 22-37, 22-64, 22-195, 22-228, 22-248, 22-254, 22-320d, 22-
 2645 326a, 22-344b, 22-386, 22a-6b, 22a-7, 22a-16, 22a-30, 22a-34, 22a-53, 22a-
 2646 60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-163m, 22a-167, 22a-
 2647 180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-226, 22a-226c,
 2648 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-285g, 22a-285j, 22a-
 2649 310, 22a-342a, 22a-344, 22a-361a, 22a-374, 22a-376, 22a-408, 22a-430,
 2650 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-
 2651 36, 28-5, 29-158, 29-161b, 29-317, 29-323, 29-329, 29-334, 29-340, 29-369,
 2652 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-273, 31-284, 31-285, 31-
 2653 339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-471a, 36a-494,
 2654 36a-517, 36a-587, 36a-647, 36a-684, 36a-718, 36a-807, 36b-26, 36b-27,
 2655 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-41, 38a-52, 38a-134,
 2656 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209, 38a-225, 38a-226b,
 2657 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687, 38a-774, 38a-776,
 2658 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c, 42-110d, 42-110k,
 2659 42-110p, 42-182, 46a-5, 46a-56, 46a-100, 47a-21, 49-73, 51-44a, 51-81b, 51-
 2660 194, 52-146j, 53-392d and 54-211a.

2661 Sec. 96. Section 9-7b of the general statutes is repealed and the
 2662 following is substituted in lieu thereof (*Effective July 1, 2003*):

2663 (a) The [State Elections Enforcement] Commission on Fair and Open
 2664 Government shall have the following duties and powers:

2665 (1) To make investigations on its own initiative or with respect to
 2666 statements filed with the commission by the Secretary of the State or
 2667 any town clerk, or upon written complaint under oath by any
 2668 individual, with respect to alleged violations of any provision of the
 2669 general statutes relating to any election or referendum, any primary
 2670 held pursuant to section 9-423, 9-424, 9-425 or 9-464 or any primary
 2671 held pursuant to a special act, and to hold hearings when the
 2672 commission deems necessary to investigate violations of any
 2673 provisions of the general statutes relating to any such election, primary
 2674 or referendum, and for the purpose of such hearings the commission
 2675 may administer oaths, examine witnesses and receive oral and

documentary evidence, and shall have the power to subpoena witnesses under procedural rules the commission shall adopt, to compel their attendance and to require the production for examination of any books and papers which the commission deems relevant to any matter under investigation or in question. In connection with its investigation of any alleged violation of any provision of chapter 145, or of any provision of section 9-359 or section 9-359a, the commission shall also have the power to subpoena any municipal clerk and to require the production for examination of any absentee ballot, inner and outer envelope from which any such ballot has been removed, depository envelope containing any such ballot or inner or outer envelope as provided in sections 9-150a and 9-150b and any other record, form or document as provided in section 9-150b, in connection with the election, primary or referendum to which the investigation relates. In case of a refusal to comply with any subpoena issued pursuant to this subsection or to testify with respect to any matter upon which that person may be lawfully interrogated, the superior court for the judicial district of Hartford, on application of the commission, may issue an order requiring such person to comply with such subpoena and to testify; failure to obey any such order of the court may be punished by the court as a contempt thereof. In any matter under investigation which concerns the operation or inspection of or outcome recorded on any voting machine, the commission may issue an order to the municipal clerk to impound such machine until the investigation is completed;

(2) To levy a civil penalty not to exceed (A) two thousand dollars per offense against any person the commission finds to be in violation of any provision of chapter 145, part V of chapter 146, part I of chapter 147, chapter 148, section 9-12, subsection (a) of section 9-17, section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a, 9-42, 9-43, 9-50a, 9-56, 9-59, 9-168d, 9-170, 9-171, 9-172, 9-409, 9-410, 9-412, 9-436, 9-436a, 9-453e to 9-453h, inclusive, 9-453k or 9-453o, or (B) two thousand dollars per offense or twice the amount of any improper payment or

2710 contribution, whichever is greater, against any person the commission
2711 finds to be in violation of any provision of chapter 150. The
2712 commission may levy a civil penalty against any person under
2713 subparagraph (A) or (B) of this subdivision only after giving the
2714 person an opportunity to be heard at a hearing conducted in
2715 accordance with sections 4-176e to 4-184, inclusive. In the case of
2716 failure to pay any such penalty levied pursuant to this subsection
2717 within thirty days of written notice sent by certified or registered mail
2718 to such person, the superior court for the judicial district of Hartford,
2719 on application of the commission, may issue an order requiring such
2720 person to pay the penalty imposed and such court costs, state
2721 marshal's fees and attorney's fees incurred by the commission as the
2722 court may determine. Any civil penalties paid, collected or recovered
2723 under subparagraph (B) of this subdivision for a violation of any
2724 provision of chapter 150 applying to the office of the Treasurer shall be
2725 deposited on a pro rata basis in any trust funds, as defined in section 3-
2726 13c, affected by such violation;

2727 (3) (A) To issue an order requiring any person the commission finds
2728 to have received any contribution or payment which is prohibited by
2729 any of the provisions of chapter 150, after an opportunity to be heard
2730 at a hearing conducted in accordance with the provisions of sections 4-
2731 176e to 4-184, inclusive, to return such contribution or payment to the
2732 donor or payor, or to remit such contribution or payment to the state
2733 for deposit in the General Fund, whichever is deemed necessary to
2734 effectuate the purposes of chapter 150;

2735 (B) To issue an order when the commission finds that an intentional
2736 violation of any provision of chapter 150 has been committed, after an
2737 opportunity to be heard at a hearing conducted in accordance with
2738 sections 4-176e to 4-184, inclusive, which order may contain one or
2739 more of the following sanctions: (i) Removal of a campaign treasurer,
2740 deputy campaign treasurer or solicitor; or (ii) prohibition on serving as
2741 a campaign treasurer, deputy campaign treasurer or solicitor, for a
2742 period not to exceed four years;

2743 (C) To issue an order revoking any person's eligibility to be
2744 appointed or serve as an election, primary or referendum official or
2745 unofficial checker or in any capacity at the polls on the day of an
2746 election, primary or referendum, when the commission finds such
2747 person has intentionally violated any provision of the general statutes
2748 relating to the conduct of an election, primary or referendum, after an
2749 opportunity to be heard at a hearing conducted in accordance with
2750 sections 4-176e to 4-184, inclusive;

2751 (4) To inspect or audit at any reasonable time and upon reasonable
2752 notice the accounts or records of any campaign treasurer or principal
2753 campaign treasurer, as required by chapter 150 and to audit any such
2754 election, primary or referendum held within the state; provided, it
2755 shall not audit any caucus, as defined in subdivision (1) of section 9-
2756 372;

2757 (5) To attempt to secure voluntary compliance, by informal methods
2758 of conference, conciliation and persuasion, with any provision of
2759 chapters 149 to 153, inclusive, or any other provision of the general
2760 statutes relating to any such election, primary or referendum;

2761 (6) To consult with the Secretary of the State, the Chief State's
2762 Attorney or the Attorney General on any matter which the commission
2763 deems appropriate;

2764 (7) To refer to the Chief State's Attorney evidence bearing upon
2765 violation of any provision of chapters 149 to 153, inclusive, or any
2766 other provision of the general statutes pertaining to or relating to any
2767 such election, primary or referendum;

2768 (8) To refer to the Attorney General evidence for injunctive relief
2769 and any other ancillary equitable relief in the circumstances of
2770 subdivision (7) of this section. Nothing in this subdivision shall
2771 preclude a person who claims that he is aggrieved by a violation of any
2772 provision of chapter 152 or any other provision of the general statutes
2773 relating to referenda from pursuing injunctive and any other ancillary

2774 equitable relief directly from the Superior Court by the filing of a
2775 complaint;

2776 (9) To refer to the Attorney General evidence pertaining to any
2777 ruling which the commission finds to be in error made by election
2778 officials in connection with any election, primary or referendum. Those
2779 remedies and procedures available to parties claiming to be aggrieved
2780 under the provisions of sections 9-323, 9-324, 9-328 and 9-329a shall
2781 apply to any complaint brought by the Attorney General as a result of
2782 the provisions of this subdivision;

2783 (10) To consult with the United States Department of Justice and the
2784 United States Attorney for Connecticut on any investigation pertaining
2785 to a violation of this section, section 9-12, subsection (a) of section 9-17
2786 or section 9-19b, 9-19e, 9-19g, 9-19h, 9-19i, 9-20, 9-21, 9-23a, 9-23g, 9-
2787 23h, 9-23j to 9-23o, inclusive, 9-26, 9-31a, 9-32, 9-35, 9-35b, 9-35c, 9-40a,
2788 9-42, 9-43, 9-50a, 9-56 or 9-59 and to refer to said department and
2789 attorney evidence bearing upon any such violation for prosecution
2790 under the provisions of the National Voter Registration Act of 1993,
2791 P.L. 103-31, as amended from time to time;

2792 (11) To inspect reports filed with the Secretary of the State and with
2793 town clerks pursuant to chapter 150 and refer to the Chief State's
2794 Attorney evidence bearing upon any violation of law therein if such
2795 violation was committed knowingly and wilfully;

2796 (12) To intervene in any action brought pursuant to the provisions
2797 of sections 9-323, 9-324, 9-328 and 9-329a upon application to the court
2798 in which such action is brought when in the opinion of the court it is
2799 necessary to preserve evidence of possible criminal violation of the
2800 election laws;

2801 (13) To adopt and publish regulations pursuant to chapter 54 to
2802 carry out the provisions of [section 9-7a,] this section and chapter 150;
2803 to issue upon request and publish advisory opinions in the
2804 Connecticut Law Journal upon the requirements of chapter 150, and to

2805 make recommendations to the General Assembly concerning
2806 suggested revisions of the election laws;

2807 (14) To the extent that the [Elections Enforcement] Commission on
2808 Fair and Open Government is involved in the investigation of alleged
2809 or suspected criminal violations of any provision of the general
2810 statutes pertaining to or relating to any such election, primary or
2811 referendum and is engaged in such investigation for the purpose of
2812 presenting evidence to the Chief State's Attorney, the [Elections
2813 Enforcement] Commission on Fair and Open Government shall be
2814 deemed a law enforcement agency for purposes of subdivision (3) of
2815 subsection (b) of section 1-210, provided nothing in this section shall be
2816 construed to exempt the [Elections Enforcement] Commission on Fair
2817 and Open Government in any other respect from the requirements of
2818 the Freedom of Information Act, as defined in section 1-200;

2819 (15) To enter into such contractual agreements as may be necessary
2820 for the discharge of its duties, within the limits of its appropriated
2821 funds and in accordance with established procedures; and

2822 (16) To provide the Secretary of the State with notice and copies of
2823 all decisions rendered by the commission in contested cases, advisory
2824 opinions and declaratory judgments, at the time such decisions,
2825 judgments and opinions are made or issued.

2826 (b) In the case of a refusal to comply with an order of the
2827 commission issued pursuant to subdivision (3) of subsection (a) of this
2828 section, the superior court for the judicial district of Hartford, on
2829 application of the commission, may issue a further order to comply.
2830 Failure to obey such further order may be punished by the court as a
2831 contempt thereof.

2832 Sec. 97. Subsection (b) of section 46a-13k of the general statutes is
2833 repealed and the following is substituted in lieu thereof (*Effective July*
2834 *1, 2003*):

2835 (b) The Office of the Child Advocate shall be in the [Freedom of
2836 Information] Commission on Fair and Open Government for
2837 administrative purposes only.

2838 Sec. 98. (*Effective July 1, 2003*) Whenever the words "State Ethics
2839 Commission", "State Elections Enforcement Commission" or "Freedom
2840 of Information Commission" are used or referred to in the following
2841 general statutes, any public or special act of 2003 or 2004, or any
2842 general statute amended in 2003 or 2004, the words "Commission on
2843 Fair and Open Government" shall be substituted in lieu thereof and
2844 whenever the words "Ethics Commission" are used or referred to and
2845 mean the "State Ethics Commission", or whenever the words "Elections
2846 Enforcement Commission" are used or referred to and mean the "State
2847 Elections Enforcement Commission", in the following general statutes,
2848 any public or special act of 2003 or 2004, or any general statute
2849 amended in 2003 or 2004, the words "Commission on Fair and Open
2850 Government" shall be substituted in lieu thereof: 1-79; 1-83; 1-84b; 1-86;
2851 1-89a; 1-91; 1-93a; 1-96c; 1-96e; 1-202; 1-206; 1-211; 1-212; 1-214; 1-218; 1-
2852 240; 1-241; 3-13l; 4-9a; 4b-4; 5-266a; 9-7b; 9-23k; 9-150b; 9-192a; 9-266; 9-
2853 310; 9-323; 9-324; 9-328; 9-329a; 9-333d; 9-333h; 9-333l; 9-333y; 9-348ee;
2854 9-369b; 9-447; 46a-13b; 46a-13k; 52-259a.

2855 Sec. 99. Section 18-24a of the general statutes is repealed and the
2856 following is substituted in lieu thereof (*Effective July 1, 2003*):

2857 The Board of Pardons shall be [an autonomous body] within the
2858 Department of Correction. [for administrative purposes only.] Said
2859 board shall consist of five members, residents of this state. Biennially, a
2860 member or members shall be appointed by the Governor, with the
2861 advice and consent of either house of the General Assembly, to take
2862 office the first Monday in June in the year of their appointment for a
2863 term of six years to replace those whose terms expire. Three members
2864 shall be attorneys, one shall be skilled in one of the social sciences and
2865 one shall be a physician. Not more than three of such members holding
2866 office at any one time shall be members of any one political party. The

2867 board shall, biennially, elect its chairperson. The members of the board
2868 shall be paid a per diem fee fixed by the Commissioner of
2869 Administrative Services for attendance at each session of the board in
2870 lieu of expenses. If any member has formed an opinion in any matter
2871 that comes before it, said member shall not act concerning the same,
2872 but no member shall be disqualified by reason of having formed an
2873 opinion thereon at any former application for pardon by the same
2874 applicant. When at any session any member is absent or disqualified,
2875 the Governor may appoint a qualified person to fill the vacancy, and
2876 the person so appointed shall have the same power as any other
2877 member during such absence or disqualification. The person
2878 appointed by the Governor to fill a temporary vacancy need not
2879 necessarily possess the particular occupational or political
2880 qualifications of the member whose place such person is temporarily
2881 taking.

2882 Sec. 100. Section 54-124a of the general statutes is repealed and the
2883 following is substituted in lieu thereof (*Effective July 1, 2003*):

2884 (a) There shall be a Board of Parole [which, on and after July 1,
2885 1998,] within the Department of Correction which shall consist of
2886 fifteen members, including a chairman and two vice-chairmen who
2887 shall be appointed by the Governor with the advice and consent of
2888 either house of the General Assembly. The chairman and vice-
2889 chairmen shall be qualified by training, experience or education in law,
2890 criminal justice, parole matters or other related fields for the
2891 consideration of the matters before them and the other members shall
2892 be qualified by training and experience for the consideration of matters
2893 before them. In the appointment of the members, the Governor shall
2894 endeavor to reflect the racial diversity of the state.

2895 (b) The term of the chairman and the term of each vice-chairman of
2896 the board shall be coterminous with the term of the Governor or until a
2897 successor is chosen, whichever is later. The terms of all members,
2898 except the chairman, shall expire on July 1, 1994, and on or after July 1,

2899 1994, members shall be appointed in accordance with subsection (a) of
2900 this section as follows: Six members shall be appointed for a term of
2901 two years; and six members shall be appointed for a term of four years.
2902 Thereafter, all members shall serve for terms of four years. Any
2903 vacancy in the membership of the board shall be filled for the
2904 unexpired portion of the term by the Governor.

2905 (c) The chairman [and vice-chairmen] shall devote [their entire] full
2906 time to the performance of [their] the duties hereunder and shall be
2907 compensated therefor in such amount as the Commissioner of
2908 Administrative Services determines, subject to the provisions of section
2909 4-40. The other members of said board shall receive one hundred ten
2910 dollars for each day spent in the performance of their duties and shall
2911 be reimbursed for necessary expenses incurred in the performance of
2912 such duties. The chairman or, in his absence or inability to act, a
2913 member designated by him to serve temporarily as chairman, shall be
2914 present at all meetings of said board and participate in all decisions
2915 thereof.

2916 (d) [Said chairman shall be the executive and administrative head of
2917 said board and] The Commissioner of Correction shall have the
2918 authority and responsibility for (1) directing and supervising all
2919 administrative affairs of the board, (2) preparing the budget and
2920 annual operation plan in consultation with the board, (3) assigning
2921 staff to parole panels, regions and supervision offices, (4) organizing
2922 parole hearing calendars to facilitate the timely and efficient
2923 processing of cases, (5) implementing a uniform case filing and
2924 processing system, (6) establishing policy in all areas of parole
2925 including, but not limited to, decision making, release criteria and
2926 supervision standards, (7) establishing specialized parole units as
2927 deemed necessary, (8) entering into contracts, in consultation with the
2928 board, with service providers, community programs and consultants
2929 for the proper function of parole and community supervision, (9)
2930 creating programs for staff and board member development, training
2931 and education, (10) establishing, developing and maintaining

2932 noninstitutional, community-based service programs, and (11)
2933 [consulting with the Department of Correction on shared issues
2934 including, but not limited to, prison overcrowding, and (12)] signing
2935 and issuing subpoenas to compel the attendance and testimony of
2936 witnesses at parole proceedings. Any such subpoena shall be
2937 enforceable to the same extent as subpoenas issued pursuant to section
2938 52-143.

2939 (e) The chairman shall have the authority and responsibility for
2940 assigning members to panels, each to be composed of two members
2941 and the chairman or a member designated to serve temporarily as
2942 chairman, for each correctional institution. Such panels shall be the
2943 paroling authority for the institutions to which they are assigned and
2944 not less than two members shall be present at each parole hearing.

2945 (f) In the event of the temporary inability of any member other than
2946 the chairman to perform his or her duties, the Governor, at the request
2947 of the board, may appoint a qualified person to serve as a temporary
2948 member during such period of inability.

2949 (g) The Board of Parole shall: (1) Adopt an annual budget and plan
2950 of operation, (2) adopt such rules as deemed necessary for the internal
2951 affairs of the board, (3) develop policy for and administer the
2952 operation of the Interstate Parole Compact, and (4) submit an annual
2953 report to the Governor and General Assembly.

2954 Sec. 101. Subsection (e) of section 17b-427 of the general statutes is
2955 repealed and the following is substituted in lieu thereof (*Effective July*
2956 *1, 2003*):

2957 (e) Not later than June 1, 2001, and annually thereafter, the
2958 Insurance Commissioner [, in conjunction with the Managed Care
2959 Ombudsman,] shall submit to the Governor and to the joint standing
2960 committees of the General Assembly having cognizance of matters
2961 relating to human services and insurance and to the select committee
2962 of the General Assembly having cognizance of matters relating to

2963 aging [,] a list of those Medicare organizations that have failed to file
2964 any data, reports or information requested pursuant to subsection (c)
2965 of this section.

2966 Sec. 102. Section 38a-47 of the general statutes is repealed and the
2967 following is substituted in lieu thereof (*Effective July 1, 2003*):

2968 All domestic insurance companies and other domestic entities
2969 subject to taxation under chapter 207 shall, in accordance with section
2970 38a-48, as amended by this act, annually pay to the Insurance
2971 Commissioner, for deposit in the Insurance Fund established under
2972 section 38a-52a, an amount equal to the actual expenditures made by
2973 the Insurance Department during each fiscal year [, and the actual
2974 expenditures made by the Office of the Managed Care Ombudsman,]
2975 including the cost of fringe benefits for department [and office]
2976 personnel as estimated by the Comptroller, plus the expenditures
2977 made on behalf of the department [and the office] from the Capital
2978 Equipment Purchase Fund pursuant to section 4a-9 for such year, but
2979 excluding expenditures paid for by fraternal benefit societies, foreign
2980 and alien insurance companies and other foreign and alien entities
2981 under sections 38a-49 and 38a-50. Payments shall be made by
2982 assessment of all such domestic insurance companies and other
2983 domestic entities calculated and collected in accordance with the
2984 provisions of section 38a-48, as amended by this act. Any such
2985 domestic insurance company or other domestic entity aggrieved
2986 because of any assessment levied under this section may appeal
2987 [therefrom] the assessment in accordance with the provisions of
2988 section 38a-52.

2989 Sec. 103. Section 38a-48 of the general statutes is repealed and the
2990 following is substituted in lieu thereof (*Effective July 1, 2003*):

2991 (a) On or before June thirtieth, annually, the Commissioner of
2992 Revenue Services shall render to the Insurance Commissioner a
2993 statement certifying the amount of taxes or charges imposed on each

2994 domestic insurance company or other domestic entity under chapter
2995 207 on business done in this state during the preceding calendar year;
2996 the statement for local domestic insurance companies shall set forth the
2997 amount of taxes and charges before any tax credits allowed as
2998 provided in section 12-202.

2999 (b) On or before July thirty-first, annually, the Insurance
3000 Commissioner [and the Office of the Managed Care Ombudsman]
3001 shall render to each domestic insurance company or other domestic
3002 entity liable for payment under section 38a-47, as amended by this act,
3003 (1) a statement which includes the amount appropriated to the
3004 Insurance Department [and the Office of the Managed Care
3005 Ombudsman] for the fiscal year beginning July first of the same year,
3006 the cost of fringe benefits for department [and office] personnel for
3007 such year, as estimated by the Comptroller, and the estimated
3008 expenditures on behalf of the department [and the office] from the
3009 Capital Equipment Purchase Fund pursuant to section 4a-9 for such
3010 year, (2) a statement of the total taxes imposed on all domestic
3011 insurance companies and domestic insurance entities under chapter
3012 207 on business done in this state during the preceding calendar year,
3013 and (3) the proposed assessment against that company or entity,
3014 calculated in accordance with the provisions of subsection (c) of this
3015 section, provided that for the purposes of this calculation the amount
3016 appropriated to the Insurance Department [and the Office of the
3017 Managed Care Ombudsman] plus the cost of fringe benefits for
3018 department [and office] personnel and the estimated expenditures on
3019 behalf of the department [and the office] from the Capital Equipment
3020 Purchase Fund pursuant to section 4a-9 shall be deemed to be the
3021 actual expenditures of the department. [and the office.]

3022 (c) (1) The proposed assessments for each domestic insurance
3023 company or other domestic entity shall be calculated by (A) allocating
3024 twenty per cent of the amount to be paid under section 38a-47, as
3025 amended by this act, among the domestic entities organized under
3026 sections 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive,

3027 in proportion to their respective shares of the total taxes and charges
3028 imposed under chapter 207 on such entities on business done in this
3029 state during the preceding calendar year, and (B) allocating eighty per
3030 cent of the amount to be paid under section 38a-47, as amended by this
3031 act, among all domestic insurance companies and domestic entities
3032 other than those organized under sections 38a-199 to 38a-209,
3033 inclusive, and 38a-214 to 38a-225, inclusive, in proportion to their
3034 respective shares of the total taxes and charges imposed under chapter
3035 207 on such domestic insurance companies and domestic entities on
3036 business done in this state during the preceding calendar year,
3037 provided if there are no domestic entities organized under sections
3038 38a-199 to 38a-209, inclusive, and 38a-214 to 38a-225, inclusive, at the
3039 time of assessment, one hundred per cent of the amount to be paid
3040 under section 38a-47, as amended by this act, shall be allocated among
3041 such domestic insurance companies and domestic entities. (2) When
3042 the amount any such company or entity is assessed pursuant to this
3043 section exceeds twenty-five per cent of the actual expenditures of the
3044 Insurance Department [and the Office of the Managed Care
3045 Ombudsman,] such excess amount shall not be paid by such company
3046 or entity but rather shall be assessed against and paid by all other such
3047 companies and entities in proportion to their respective shares of the
3048 total taxes and charges imposed under chapter 207 on business done in
3049 this state during the preceding calendar year. The provisions of this
3050 subdivision shall not be applicable to any corporation which has
3051 converted to a domestic mutual insurance company pursuant to
3052 section 38a-155 upon the effective date of any public act which amends
3053 said section to modify or remove any restriction on the business such a
3054 company may engage in, for purposes of any assessment due from
3055 such company on and after such effective date.

3056 (d) For purposes of calculating the amount of payment under
3057 section 38a-47, as amended by this act, as well as the amount of the
3058 assessments under this section, the "total taxes imposed on all
3059 domestic insurance companies and other domestic entities under
3060 chapter 207" shall be based upon the amounts shown as payable to the

3061 state for the calendar year on the returns filed with the Commissioner
3062 of Revenue Services pursuant to chapter 207; with respect to
3063 calculating the amount of payment and assessment for local domestic
3064 insurance companies, the amount used shall be the taxes and charges
3065 imposed before any tax credits allowed as provided in section 12-202.

3066 (e) On or before September thirtieth, annually, for each fiscal year
3067 ending prior to July 1, 1990, the Insurance Commissioner, [and the
3068 Managed Care Ombudsman,] after receiving any objections to the
3069 proposed assessments and making such adjustments as [in their
3070 opinion may] the commissioner believes should be indicated, shall
3071 assess each such domestic insurance company or other domestic entity
3072 an amount equal to its proposed assessment as so adjusted. Each
3073 domestic insurance company or other domestic entity shall pay to the
3074 Insurance Commissioner on or before October thirty-first an amount
3075 equal to fifty per cent of its assessment adjusted to reflect any credit or
3076 amount due from the preceding fiscal year as determined by the
3077 commissioner under subsection (g) of this section. Each domestic
3078 insurance company or other domestic entity shall pay to the Insurance
3079 Commissioner on or before the following April thirtieth, the remaining
3080 fifty per cent of its assessment.

3081 (f) On or before September first, annually, for each fiscal year
3082 ending after July 1, 1990, the Insurance Commissioner, [and the
3083 Managed Care Ombudsman,] after receiving any objections to the
3084 proposed assessments and making such adjustments as [in their
3085 opinion may] the commissioner believes should be indicated, shall
3086 assess each such domestic insurance company or other domestic entity
3087 an amount equal to its proposed assessment as so adjusted. Each
3088 domestic insurance company or other domestic entity shall pay to the
3089 Insurance Commissioner (1) on or before June 30, 1990, and on or
3090 before June thirtieth annually thereafter, an estimated payment against
3091 its assessment for the following year equal to twenty-five per cent of its
3092 assessment for the fiscal year ending such June thirtieth, (2) on or
3093 before September thirtieth, annually, twenty-five per cent of its

3094 assessment adjusted to reflect any credit or amount due from the
3095 preceding fiscal year as determined by the commissioner under
3096 subsection (g) of this section, and (3) on or before the following
3097 December thirty-first and March thirty-first, annually, each domestic
3098 insurance company or other domestic entity shall pay to the Insurance
3099 Commissioner the remaining fifty per cent of its proposed assessment
3100 to the department in two equal installments.

3101 (g) Immediately following the close of the fiscal year, the Insurance
3102 Commissioner [and the Managed Care Ombudsman] shall recalculate
3103 the proposed assessment for each domestic insurance company or
3104 other domestic entity in accordance with subsection (c) of this section
3105 using the actual expenditures made by the Insurance Department [and
3106 the Office of the Managed Care Ombudsman] during that fiscal year
3107 and the actual expenditures made on behalf of the department [and the
3108 office] from the Capital Equipment Purchase Fund pursuant to section
3109 4a-9. On or before July thirty-first, the Insurance Commissioner [and
3110 the Managed Care Ombudsman] shall render to each such domestic
3111 insurance company and other domestic entity a statement showing the
3112 difference between [their respective] the recalculated assessments and
3113 the amount they have previously paid. On or before August thirty-
3114 first, the Insurance Commissioner, [and the Managed Care
3115 Ombudsman,] after receiving any objections to such statements, shall
3116 make such adjustments which [in their opinion may] the commissioner
3117 believes should be indicated, and shall render an adjusted assessment,
3118 if any, to the affected companies.

3119 (h) If any assessment is not paid when due, a penalty of ten dollars
3120 shall be added [thereto] to the assessment, and interest at the rate of six
3121 per cent per annum shall be paid thereafter on such assessment and
3122 penalty.

3123 (i) The commissioner shall deposit all payments made under this
3124 section with the State Treasurer. On and after June 6, 1991, the moneys
3125 so deposited shall be credited to the Insurance Fund established under

3126 section 38a-52a and shall be accounted for as expenses recovered from
3127 insurance companies.

3128 Sec. 104. Subsection (e) of section 38a-478n of the general statutes is
3129 repealed and the following is substituted in lieu thereof (*Effective July*
3130 *1, 2003*):

3131 (e) Not later than January 1, 2000, the Insurance Commissioner shall
3132 develop a comprehensive public education outreach program to
3133 educate health insurance consumers of the existence of the appeals
3134 procedure established in this section. The program shall maximize
3135 public information concerning the appeals procedure and shall
3136 include, but not be limited to: (1) The dissemination of information
3137 through mass media, interactive approaches and written materials; (2)
3138 involvement of community-based organizations in developing
3139 messages and in devising and implementing education strategies; and
3140 (3) periodic evaluations of the effectiveness of educational efforts. [The
3141 Managed Care Ombudsman shall coordinate the outreach program
3142 and oversee the education process.]

3143 Sec. 105. Section 38a-1041 of the general statutes is repealed and the
3144 following is substituted in lieu thereof (*Effective July 1, 2003*):

3145 (a) There [is established an Office of Managed Care Ombudsman
3146 which shall be within the Insurance Department for administrative
3147 purposes only] shall be a Managed Care Advocacy Unit which shall be
3148 in the Division of Consumer Affairs within the Insurance Department.
3149 The Managed Care Advocacy Unit shall act on the commissioner's
3150 behalf and at the commissioner's direction in order to carry out the
3151 responsibilities set forth in subsection (b) of this section.

3152 (b) The [Office of Managed Care Ombudsman may] Managed Care
3153 Advocacy Unit may, at the direction of the commissioner:

3154 (1) Assist health insurance consumers with managed care plan
3155 selection by providing information, referral and assistance to

3156 individuals about means of obtaining health insurance coverage and
3157 services;

3158 (2) Assist health insurance consumers to understand their rights and
3159 responsibilities under managed care plans;

3160 (3) Provide information to the public, agencies, legislators and
3161 others regarding problems and concerns of health insurance
3162 consumers and make recommendations for resolving those problems
3163 and concerns;

3164 (4) Assist consumers with the filing of complaints and appeals,
3165 including filing appeals with a managed care organization's internal
3166 appeal or grievance process and the external appeal process
3167 established under section 38a-478n, as amended by this act;

3168 (5) Analyze and monitor the development and implementation of
3169 federal, state and local laws, regulations and policies relating to health
3170 insurance consumers and recommend changes it deems necessary;

3171 (6) Facilitate public comment on laws, regulations and policies,
3172 including policies and actions of health insurers;

3173 (7) Ensure that health insurance consumers have timely access to the
3174 services provided by the [office] unit;

3175 (8) Review the health insurance records of a consumer who has
3176 provided written consent for such review;

3177 (9) Create and make available to employers a notice, suitable for
3178 posting in the workplace, concerning the services that the Managed
3179 Care [Ombudsman] Advocacy Unit provides;

3180 (10) Establish a toll-free number, or any other free calling option, to
3181 allow customer access to the services provided by the Managed Care
3182 [Ombudsman] Advocacy Unit and;

3183 (11) Pursue administrative remedies on behalf of and with the
3184 consent of any health insurance consumers. [;

3185 (12) Adopt regulations, pursuant to chapter 54, to carry out the
3186 provisions of sections 38a-1040 to 38a-1050, inclusive; and

3187 (13) Take any other actions necessary to fulfill the purposes of
3188 sections 38a-1040 to 38a-1050, inclusive.]

3189 Sec. 106. Section 38a-1043 of the general statutes is repealed and the
3190 following is substituted in lieu thereof (*Effective July 1, 2003*):

3191 (a) Each managed care organization shall, when presented with the
3192 written consent of the consumer or the consumer's guardian or legal
3193 representative, provide to the [Office of Managed Care Ombudsman]
3194 Managed Care Advocacy Unit access to records relating to such
3195 consumer.

3196 (b) Any records provided pursuant to this section to the [Office of
3197 Managed Care Ombudsman] Managed Care Advocacy Unit shall be
3198 exempt from disclosure under the Freedom of Information Act, as
3199 defined in section 1-200.

3200 Sec. 107. Section 38a-1044 of the general statutes is repealed and the
3201 following is substituted in lieu thereof (*Effective July 1, 2003*):

3202 [All state agencies] Each state agency shall comply with reasonable
3203 requests of the [Office of Managed Care Ombudsman] Managed Care
3204 Advocacy Unit for information and assistance.

3205 Sec. 108. Section 38a-1045 of the general statutes is repealed and the
3206 following is substituted in lieu thereof (*Effective July 1, 2003*):

3207 In the absence of the written consent of a consumer utilizing the
3208 services of the [Office of Managed Care Ombudsman] Managed Care
3209 Advocacy Unit or such consumer's guardian or legal representative or
3210 of a court order, the [Office of Managed Care Ombudsman] Managed

3211 Care Advocacy Unit, its employees and agents, shall not disclose the
3212 identity of the consumer.

3213 Sec. 109. Section 38a-1046 of the general statutes is repealed and the
3214 following is substituted in lieu thereof (*Effective July 1, 2003*):

3215 Each employer, other than a self-insured employer, that provides
3216 health insurance benefits to employees shall obtain from the [Managed
3217 Care Ombudsman] Managed Care Advocacy Unit and post, in a
3218 conspicuous location, a notice concerning the services that the
3219 [Managed Care Ombudsman] Managed Care Advocacy Unit provides.

3220 Sec. 110. Section 38a-1047 of the general statutes is repealed and the
3221 following is substituted in lieu thereof (*Effective July 1, 2003*):

3222 (a) No [ombudsman or] person employed by the [Office of Managed
3223 Care Ombudsman] Managed Care Advocacy Unit may:

3224 (1) Have a direct involvement in the licensing, certification or
3225 accreditation of a managed care organization;

3226 (2) Have a direct ownership or investment interest in a managed
3227 care organization;

3228 (3) Be employed by or participate in the management of a managed
3229 care organization; or

3230 (4) Receive or have the right to receive, directly or indirectly,
3231 remuneration under a compensation arrangement with a managed
3232 care organization.

3233 (b) No [ombudsman or] person employed by the [Office of
3234 Managed Care Ombudsman] Insurance Department in the Managed
3235 Care Advocacy Unit may knowingly accept employment with a
3236 managed care organization for a period of one year following
3237 termination of that person's services with the [Office of Managed Care
3238 Ombudsman] Managed Care Advocacy Unit.

3239 Sec. 111. Section 38a-1050 of the general statutes is repealed and the
3240 following is substituted in lieu thereof (*Effective July 1, 2003*):

3241 The [Managed Care Ombudsman] Insurance Commissioner shall
3242 submit, not later than January first of each year, a report to the
3243 Governor and the joint standing committees of the General Assembly
3244 having cognizance of matters relating to public health and insurance
3245 concerning the activities of the [ombudsman] Managed Care Advocacy
3246 Unit. The report shall include, but not be limited to, information
3247 regarding: (1) The subject matter, disposition and number of consumer
3248 complaints processed by the [ombudsman] unit; (2) common
3249 problems and concerns discerned by the [ombudsman] unit from the
3250 consumer complaints and other relevant sources; and (3) the need, if
3251 any, for administrative, legislative or executive remedies to assist
3252 consumers. [; and (4) the fiscal accounts of the Office of Managed Care
3253 Ombudsman.]

3254 Sec. 112. (NEW) (*Effective July 1, 2003*) (a) On and after July 1, 2003,
3255 the Board of Regents for Higher Education shall assume all
3256 responsibilities of the Board of Governors of Higher Education
3257 pursuant to any provision of the general statutes. The transfer of
3258 functions, powers, duties, obligations, including, but not limited to,
3259 contract obligations, the continuance of orders and regulations, the
3260 effect upon pending actions and proceedings, the completion of
3261 unfinished business and the transfer of records and property between
3262 the Board of Governors of Higher Education, as said board existed
3263 immediately prior to July 1, 2003.

3264 (b) (1) Whenever the term "Board of Governors of Higher
3265 Education" is used or referred to in the following sections of the
3266 general statutes, the term "Board of Regents for Higher Education"
3267 shall be substituted in lieu thereof: 3-22e, 4-9a, 4-38c, 4-89, 4-186, 4d-80,
3268 4d-82, 5-160, 5-177, 5-242, 10-9, 10-16p, 10-19, 10-145a, 10-145b, 10-155d,
3269 10-155e, 10-183b, 10-183n, 10-183v, 10-235, 10-236a, 10a-3, 10a-4, 10a-6,
3270 10a-6b, 10a-7, 10a-8, 10a-9, 10a-10, 10a-10a, 10a-11, 10a-11a, 10a-12b,

3271 10a-13, 10a-15, 10a-16, 10a-19, 10a-20, 10a-20a, 10a-22, 10a-22b, 10a-22d,
 3272 10a-22e, 10a-22f, 10a-22g, 10a-22i, 10a-22j, 10a-22k, 10a-22x, 10a-23, 10a-
 3273 24, 10a-25j, 10a-25o, 10a-25p, 10a-31, 10a-33, 10a-34, 10a-35, 10a-36, 10a-
 3274 37, 10a-38, 10a-39, 10a-40, 10a-42, 10a-42b, 10a-42g, 10a-43, 10a-45, 10a-
 3275 46, 10a-48, 10a-48b, 10a-49, 10a-51, 10a-54, 10a-66, 10a-72, 10a-74, 10a-
 3276 77, 10a-78, 10a-87, 10a-99, 10a-102, 10a-104, 10a-105, 10a-132a, 10a-143,
 3277 10a-149, 10a-161, 10a-162a, 10a-163, 10a-163a, 10a-163b, 10a-164a, 10a-
 3278 166, 10a-168, 10a-169, 10a-170, 10a-170b, 10a-170d, 10a-170l, 10a-170m,
 3279 10a-170u, 10a-170v, 10a-170w, 10a-171, 10a-203, 10a-204a, 10a-210, 12-
 3280 407, 19a-75, 29-251b, 29-298a, 30-20a, 52-279.

3281 (2) If the term "Board of Governors of Higher Education" is used or
 3282 referred to in any public or special act of 2003 or 2004, it shall be
 3283 deemed to mean or refer to "Board of Regents for Higher Education."

3284 (c) (1) Whenever the term "Department of Higher Education" is used
 3285 or referred to in the following sections of the general statutes, the term
 3286 "Board of Regents for Higher Education" shall be substituted in lieu
 3287 thereof: 4-89, 4-124x, 4-124y, 4-124aa, 4a-11, 4d-82, 5-155a, 5-198, 10-8c,
 3288 10-76i, 10-145b, 10-155d, 10-221a, 10a-1, 10a-6b, 10a-8b, 10a-9, 10a-9a,
 3289 10a-10, 10a-11a, 10a-12, 10a-14, 10a-15, 10a-17, 10a-17b, 10a-17c, 10a-
 3290 17d, 10a-22g, 10a-22h; 10a-22r, 10a-22u, 10a-25, 10a-25n, 10a-37, 10a-38,
 3291 10a-40, 10a-48, 10a-48a, 10a-54, 10a-65, 10a-77a, 10a-99a, 10a-109c, 10a-
 3292 109i, 10a-143a, 10a-151, 10a-161b, 10a-163, 10a-163a, 10a-163b, 10a-164a,
 3293 10a-168a, 10a-169a, 10a-169b, 10a-170a, 10a-170e, 10a-170i, 10a-170l,
 3294 10a-170r, 10a-170t, 10a-170u, 10a-204a, 11-1, 14-19a, 17a-52.

3295 (2) If the term "Department of Higher Education" is used or referred
 3296 to in any public or special act of 2003 or 2004, it shall be deemed to
 3297 mean or refer to "Board of Regents for Higher Education."

3298 (d) (1) Whenever the term "Commissioner of Higher Education" is
 3299 used or referred to in the following sections of the general statutes, the
 3300 term "Chancellor for Higher Education" shall be substituted in lieu
 3301 thereof: 3-22e, 4-124x, 4-124y, 4-124aa, 10-1, 10-16p, 10a-4a, 10a-6a, 10a-
 3302 6b, 10a-8a, 10a-12a, 10a-19a, 10a-22b, 10a-22c, 10a-22e, 10a-22f, 10a-22g,

3303 10a-22h, 10a-22i, 10a-22r, 10a-22s, 10a-22u, 10a-22v, 10a-42g, 10a-48,
3304 10a-48b, 10a-55a, 10a-72, 10a-77a, 10a-99a, 10a-104, 10a-109i, 10a-112g,
3305 10a-143, 10a-143a, 10a-144, 10a-150, 10a-150b, 10a-161a, 10a-161b, 10a-
3306 163, 10a-169a, 10a-169b, 10a-170c, 10a-170d, 10a-170h, 10a-170i, 10a-
3307 170k, 10a-170s, 10a-170t, 10a-203, 10a-224, 12-413b, 17a-52, 32-4f, 32-35,
3308 32-39.

3309 (2) If the term "Commissioner of Higher Education" is used or
3310 referred to in any public or special act of 2003 or 2004, it shall be
3311 deemed to mean or refer to "Chancellor for Higher Education."

3312 (e) The terms of the members on the Board of Governors of Higher
3313 Education prior to the effective date of this section shall expire on June
3314 30, 2003.

3315 Sec. 113. (NEW) (*Effective July 1, 2003*) (a) There shall be a Board of
3316 Regents for Higher Education to serve as the central policy-making
3317 authority for public higher education in Connecticut. The board shall
3318 consist of twelve members to be appointed by the Governor. The
3319 members shall not be employed by or be a member of a board of
3320 trustees for any public or independent institution of higher education,
3321 nor shall they be employed by or be elected officials of any public
3322 agency, as defined in subdivision (1) of section 1-200 of the general
3323 statutes, during their term of membership on the Board of Regents for
3324 Higher Education.

3325 (b) On or before July 1, 2003, the Governor shall appoint the initial
3326 members of the Board of Regents for Higher Education as follows: Six
3327 members shall serve a term of four years from said July first, three
3328 members shall serve a term of three years from said July first and three
3329 members shall serve a term of two years from said July first. Thereafter
3330 all members shall be appointed for a term of four years from July first
3331 in the year of their appointment.

3332 (c) The Governor shall appoint the chairperson of the board. No
3333 chairperson shall serve more than two consecutive terms. The board

3334 shall elect from its members a vice-chairperson and such other officers
3335 as it deems necessary. Vacancies among any officers shall be filled
3336 within thirty days following the occurrence of such vacancy in the
3337 same manner as the original selection. Said board shall establish
3338 bylaws to govern its procedures and shall appoint such committees
3339 and advisory boards as may be convenient or necessary in the
3340 transaction of its business.

3341 (d) The Governor shall select Chancellor for Higher Education who
3342 shall serve at the pleasure of the Governor. The chancellor shall have
3343 the responsibility for implementing the policies and directives of the
3344 board and shall have additional responsibilities as the board may
3345 prescribe. Said chancellor may designate an alternate to serve as a
3346 member of any commission, foundation or committee upon which the
3347 general statutes require the chancellor to serve. Such designee may
3348 vote on behalf of said chancellor. The administrative arm of the Board
3349 of Regents for Higher Education shall be under the direction of the
3350 chancellor, who shall be the chief executive officer and shall
3351 administer, coordinate and supervise the activities of the board in
3352 accordance with the policies established by the board.

3353 (e) The chancellor may employ staff as is deemed necessary,
3354 including, but not limited to, temporary assistants and consultants.
3355 The board shall establish terms and conditions of employment of its
3356 staff, prescribe their duties, and fix the compensation of its
3357 professional and technical personnel. The Board of Regents for Higher
3358 Education shall organize its administrative organization into such
3359 units as may be necessary for the efficient conduct of the business of
3360 the department.

3361 Sec. 114. Subsection (a) of section 10a-77a of the general statutes is
3362 repealed and the following is substituted in lieu thereof (*Effective July*
3363 *1, 2003*):

3364 (a) (1) The Board of [Trustees of the Community-Technical Colleges]
3365 Regents for Higher Education shall establish a permanent Endowment

3366 Fund for the Community-Technical College System to encourage
3367 donations from the private sector, with an incentive in the form of an
3368 endowment fund state grant, the net earnings on the principal of
3369 which are dedicated and made available to a regional
3370 community-technical college or the community-technical college
3371 system as a whole, for endowed professorships, scholarships and
3372 programmatic enhancements. The fund shall be administered by the
3373 board of trustees, or by a nonprofit entity entrusted for such purpose
3374 and qualified as a Section 501(c)(3) organization under the Internal
3375 Revenue Code of 1986, or any subsequent corresponding internal
3376 revenue code of the United States, as from time to time amended, and
3377 preferably constituted and controlled independent of the state and
3378 board of trustees so as to qualify the interest on state bonds the
3379 proceeds of which have been granted for deposit in the endowment
3380 fund as excludable from taxation under such code and shall, in any
3381 event, be held in a trust fund separate and apart from all other funds
3382 and accounts of the state and the community-technical college system.
3383 There shall be deposited into the fund: (A) Endowment fund state
3384 grants; and (B) interest or other income earned on the investment of
3385 moneys in the endowment fund pending transfer of the principal of
3386 the fund for the purposes identified in this subdivision. Endowment
3387 fund eligible gifts made on behalf of a regional community-technical
3388 college or the system as a whole shall be deposited in a permanent
3389 endowment fund created for each regional community-technical
3390 college and the system as a whole in the appropriate foundation
3391 established pursuant to sections 4-37e and 4-37f. A portion of the
3392 endowment fund state grant and a portion of earnings on such grant,
3393 including capital appreciation, shall be transferred, annually, within
3394 thirty days of the receipt of the endowment fund state grant by the
3395 permanent Endowment Fund for the Community-Technical College
3396 System, to such a regional community-technical college endowment
3397 fund based on the ratio of the total amount of such gifts made to such
3398 regional community-technical college to the total amount of all such
3399 gifts made to all the regional community-technical colleges and the

3400 system as a whole, provided the provisions of section 4-37f are
3401 satisfied.

3402 (2) For each of the fiscal years ending June 30, 2000, to June 30, 2014,
3403 inclusive, as part of the state contract with donors of endowment fund
3404 eligible gifts, the Department of Higher Education, in accordance with
3405 section 10a-8b, shall deposit in the Endowment Fund for the
3406 Community-Technical College System a grant in an amount equal to
3407 half of the total amount of endowment fund eligible gifts received by
3408 or for the benefit of the community-technical college system as a whole
3409 and each regional community-technical college for the calendar year
3410 ending the December thirty-first preceding the commencement of such
3411 fiscal year, as certified by the chairperson of the board of trustees by
3412 February fifteenth to (A) the Secretary of the Office of Policy and
3413 Management, (B) the joint standing committee of the General
3414 Assembly having cognizance of matters relating to appropriations and
3415 the budgets of state agencies, and (C) the Commissioner of Higher
3416 Education, provided such sums do not exceed the endowment fund
3417 state grant maximum commitment for the fiscal year in which the
3418 grant is made. In any such fiscal year in which the total of the eligible
3419 gifts received by the community-technical colleges exceeds the
3420 endowment fund state grant maximum commitment for such fiscal
3421 year the amount in excess of such endowment fund state grant
3422 maximum commitment shall be carried forward and be eligible for a
3423 matching state grant in any succeeding fiscal year from the fiscal year
3424 ending June 30, 2000, to the fiscal year ending June 30, 2014, inclusive,
3425 subject to the endowment fund state grant maximum commitment.
3426 Any endowment fund eligible gifts that are not included in the total
3427 amount of endowment fund eligible gifts certified by the chairperson
3428 of the board of trustees pursuant to this subdivision may be carried
3429 forward and be eligible for a matching state grant in any succeeding
3430 fiscal year from the fiscal year ending June 30, 2000, to the fiscal year
3431 ending June 30, 2014, inclusive, subject to the endowment fund state
3432 matching grant commitment for such fiscal year.

3433 (3) The Board of [Trustees of the Community-Technical Colleges]
3434 Regents for Higher Education shall adopt [, by October 1, 1997,]
3435 guidelines with respect to (A) the solicitation of endowment fund
3436 eligible gifts from private donors, and (B) governing the acceptance of
3437 gifts made by a foundation established pursuant to sections 4-37e and
3438 4-37f, to a community-technical college or its employees for
3439 reimbursement of expenditures or payment of expenditures on behalf
3440 of a community-technical college or its employees. Private donations
3441 shall not be construed to include proceeds of municipal grants.

3442 Sec. 115. Subsection (a) of section 10a-99a of the general statutes is
3443 repealed and the following is substituted in lieu thereof (*Effective July*
3444 *1, 2003*):

3445 (a) (1) The Board of [Trustees of the Connecticut State University
3446 System] Regents for Higher Education shall establish a permanent
3447 Endowment Fund for the Connecticut State University System to
3448 encourage donations from the private sector, with an incentive in the
3449 form of an endowment fund state grant, the net earnings on the
3450 principal of which are dedicated and made available to a state
3451 university or the Connecticut State University [system] System as a
3452 whole, for endowed professorships, scholarships and programmatic
3453 enhancements. The fund shall be administered by the board of
3454 trustees, or by a nonprofit entity entrusted for such purpose and
3455 qualified as a Section 501(c)(3) organization under the Internal
3456 Revenue Code of 1986, or any subsequent corresponding internal
3457 revenue code of the United States, as from time to time amended, and
3458 preferably constituted and controlled independent of the state and
3459 university so as to qualify the interest on state bonds the proceeds of
3460 which have been granted for deposit in the endowment fund as
3461 excludable from federal taxation under such code and shall, in any
3462 event, be held in a trust fund separate and apart from all other funds
3463 and accounts of the state and university. There shall be deposited into
3464 the fund: (A) Endowment fund state grants; and (B) interest or other
3465 earnings from the investment of moneys in the endowment fund

3466 pending transfer of the principal of the fund for the purposes
3467 identified in this subdivision. Endowment fund eligible gifts made on
3468 behalf of a state university or the system as a whole shall be deposited
3469 in a permanent endowment fund created for each such state university
3470 and the system as a whole in the appropriate foundation established
3471 pursuant to sections 4-37e and 4-37f. A portion of the endowment fund
3472 state grant and a portion of earnings on such grant, including capital
3473 appreciation, shall be transferred, annually, within thirty days of the
3474 receipt of the endowment fund state grant by the permanent
3475 Endowment Fund for the Connecticut State University System, to such
3476 a state university endowment fund based on the ratio of the total
3477 amount of such gifts made to such state university to the total amount
3478 of all such gifts made to all the state universities and the system as a
3479 whole, provided the provisions of section 4-37f are satisfied.

3480 (2) For each of the fiscal years ending June 30, 2000, to June 30, 2014,
3481 inclusive, as part of the state contract with donors of endowment fund
3482 eligible gifts, the Department of Higher Education, in accordance with
3483 section 10a-8b, shall deposit in the Endowment Fund for the
3484 Connecticut State University System a grant in an amount equal to half
3485 of the total amount of endowment fund eligible gifts received by or for
3486 the benefit of the Connecticut State University [system] System as a
3487 whole and each state university for the calendar year ending the
3488 December thirty-first preceding the commencement of such fiscal year,
3489 as certified by the chairperson of the board of trustees by February
3490 fifteenth to (A) the Secretary of the Office of Policy and Management,
3491 (B) the joint standing committee of the General Assembly having
3492 cognizance of matters relating to appropriations and the budgets of
3493 state agencies, and (C) the Commissioner of Higher Education,
3494 provided such sums do not exceed the endowment fund state grant
3495 maximum commitment for the fiscal year in which the grant is made.
3496 In any such fiscal year in which the total of the eligible gifts received
3497 by the Connecticut State University [system] System as a whole and
3498 each state university exceed the endowment fund state grant
3499 maximum commitment for such fiscal year the amount in excess of

3500 such endowment fund state grant maximum commitment shall be
3501 carried forward and be eligible for a matching state grant in any
3502 succeeding fiscal year from the fiscal year ending June 30, 2000, to the
3503 fiscal year ending June 30, 2014, inclusive, subject to the endowment
3504 fund state grant maximum commitment. Any endowment fund
3505 eligible gifts that are not included in the total amount of endowment
3506 fund eligible gifts certified by the chairperson of the board of trustees
3507 pursuant to this subdivision may be carried forward and be eligible for
3508 a matching state grant in any succeeding fiscal year from the fiscal year
3509 ending June 30, 2000, to the fiscal year ending June 30, 2014, inclusive,
3510 subject to the endowment fund state matching grant maximum
3511 commitment for such fiscal year.

3512 (3) The Board of [Trustees of the Connecticut State University
3513 System] Regents for Higher Education shall adopt [, by October 1,
3514 1997,] guidelines with respect to (A) the solicitation of endowment
3515 fund eligible gifts from private donors, and (B) governing the
3516 acceptance of gifts made by a foundation established pursuant to
3517 sections 4-37e and 4-37f, to a state university or its employees for
3518 reimbursement of expenditures or payment of expenditures on behalf
3519 of a state university or its employees. Private donations shall not be
3520 construed to include proceeds of federal grants but may include
3521 proceeds of municipal grants.

3522 Sec. 116. Section 10a-40 of the general statutes is repealed and the
3523 following is substituted in lieu thereof (*Effective July 1, 2003*):

3524 The amount of the annual appropriation to be allocated to each
3525 independent college or university shall be determined by its actual
3526 full-time equivalent enrollment of Connecticut undergraduate students
3527 during the fall semester of the fiscal year two years prior to the grant
3528 year. The number of eligible undergraduate Connecticut students
3529 under sections 10a-36 to 10a-42a, inclusive, shall be determined by the
3530 board but the awards based upon such computation shall not exceed
3531 the total available appropriation. Each participating college shall

3532 expend all of the moneys received under this program as direct
3533 financial assistance for grants for educational expenses and student
3534 employment to Connecticut undergraduate students. Direct financial
3535 assistance does not include loans to Connecticut students which must
3536 be repaid to the college at some future date. For each fiscal year a
3537 minimum of ten per cent of the total institutional state student
3538 financial aid which exceeds the amount appropriated to each
3539 independent institution for the fiscal year ending June 30, 1987, shall
3540 be used for student financial aid for needy minority students in
3541 accordance with the [board of governors'] Board of Regents for Higher
3542 Education plan for racial and ethnic diversity under section 10a-11. For
3543 each fiscal year a minimum of five per cent of the total amount of state
3544 student financial aid appropriated to each institution which exceeds
3545 the amount received by each institution for the fiscal year ending June
3546 30, 1988, shall be used for on-campus or off-campus community
3547 service work-study placements. Participating independent colleges
3548 and universities shall provide the [Department of Higher Education]
3549 Board of Regents for Higher Education with data and reports
3550 necessary to administer the program and shall maintain, for a period
3551 of not less than three years, records substantiating the reported
3552 number of full-time equivalent Connecticut students and
3553 documentation utilized by the college or university in determining
3554 eligibility of the Connecticut independent college student grant
3555 recipients. Such records shall be subject to audit. Funds not obligated
3556 by a college or university shall be returned by January fifteenth of the
3557 fiscal year of the grant to the [Department of Higher Education] Board
3558 of Regents for Higher Education for reallocation to other institutions
3559 participating in this program. Any funds so returned by a college or
3560 university shall be redistributed to all other independent colleges and
3561 universities participating in the program in accordance with the
3562 formula set forth in this section using the most recent enrollment data
3563 available to the Board of [Governors of Higher Education] Regents for
3564 Higher Education.

3565 Sec. 117. Section 10a-72 of the general statutes is repealed and the

3566 following is substituted in lieu thereof (*Effective July 1, 2003*):

3567 (a) [Subject to state-wide policy and guidelines established by the
3568 Board of Governors of Higher Education, said board of trustees] The
3569 Board of Regents for Higher Education shall administer the regional
3570 community-technical colleges and plan for the expansion and
3571 development of the institutions. [within its jurisdiction and submit
3572 such plans to the Board of Governors of Higher Education for review
3573 and recommendations.] The Commissioner of Public Works on request
3574 of the board [of trustees] shall, in accordance with section 4b-30,
3575 negotiate and execute leases on such physical facilities as the board [of
3576 trustees] may deem necessary for proper operation of such institutions,
3577 and said board [of trustees] may expend capital funds therefor, if such
3578 leasing is required during the planning and construction phases of
3579 institutions within its jurisdiction for which such capital funds were
3580 authorized. The board [of trustees] may appoint and remove the chief
3581 executive officer of each institution within its jurisdiction, and with
3582 respect to its own operation the board may appoint and remove a
3583 chancellor and an executive staff. The board [of trustees] may
3584 determine the size of the executive staff and the duties, terms and
3585 conditions of employment of [a chancellor and] staff, subject to
3586 personnel guidelines established by the [Board of Governors of Higher
3587 Education in consultation with said board of trustees] board, provided
3588 said board [of trustees] may not appoint or reappoint members of the
3589 executive staff for terms longer than one year. The board [of trustees]
3590 may employ the faculty and other personnel needed to operate and
3591 maintain the institutions within its jurisdiction. Within the limitation
3592 of appropriations, the board [of trustees] shall fix the compensation of
3593 such personnel, establish terms and conditions of employment and
3594 prescribe their duties and qualifications. Said board [of trustees] shall
3595 determine who constitutes its professional staff and establish
3596 compensation and classification schedules for its professional staff.
3597 Said board shall annually submit to the Commissioner of
3598 Administrative Services a list of the positions which it has included
3599 within the professional staff. [The board shall establish a division of

3600 technical and technological education. The board of trustees] The
3601 Board of Regents for Higher Education shall confer such certificates
3602 and degrees as are appropriate to the curricula of community-technical
3603 colleges. [subject to the approval of the Board of Governors of Higher
3604 Education. The board of trustees shall with the advice of, and subject
3605 to the approval of, the Board of Governors of Higher Education,] The
3606 board shall prepare plans for the development of a regional
3607 community-technical college and submit the same to the
3608 Commissioner of Public Works and request said commissioner to
3609 select the site for such college. Within the limits of the bonding
3610 authority therefor, the commissioner, subject to the provisions of
3611 section 4b-23, may acquire such site and construct such buildings as
3612 are consistent with the plan of development approved by the Board of
3613 [Governors of Higher Education] Regents for Higher Education.

3614 (b) [Subject to state-wide policy and guidelines established by the
3615 Board of Governors of Higher Education, the board of trustees] The
3616 Board of Regents for Higher Education shall:

3617 (1) Make rules for the governance of the regional community-
3618 technical colleges, determine the general policies of said colleges,
3619 including those concerning the admission of students, and direct the
3620 expenditure of said colleges' funds within the amounts available;

3621 (2) Develop mission statements for the regional community-
3622 technical colleges: The mission statement for the regional community-
3623 technical colleges shall include, but need not be limited to the
3624 following elements: (A) The educational needs of and constituencies
3625 served by said colleges; (B) the degrees offered by said colleges; [,] and
3626 (C) the role and scope of each institution within the community-
3627 technical college system, which shall include each institution's
3628 particular strengths and specialties; [. The board of trustees shall
3629 submit the mission statement to the Board of Governors of Higher
3630 Education for review and approval in accordance with the provisions
3631 of section 10a-6;]

3632 (3) Establish policies for the regional community-technical colleges;

3633 (4) Establish policies which protect academic freedom and the
3634 content of courses and degree programs;

3635 [(5) Submit to the Board of Governors of Higher Education, for
3636 approval, recommendations for the establishment of new academic
3637 programs;

3638 (6) Make recommendations to the Board of Governors of Higher
3639 Education, when appropriate, regarding institutional mergers or
3640 closures;]

3641 [(7)] (5) Coordinate the programs and services of the institutions
3642 under its jurisdiction;

3643 [(8)] (6) Promote fund-raising by the institutions under its
3644 jurisdiction in order to assist such institutions, provided the board
3645 shall not directly engage in fund-raising except for purposes of
3646 providing funding for (A) scholarships or other direct student financial
3647 aid, and (B) programs, services or activities at one or more of the
3648 institutions within its jurisdiction and report to the [Commissioner of]
3649 Chancellor for Higher Education and the joint standing committee of
3650 the General Assembly having cognizance of matters relating to higher
3651 education by January 1, 1994, and biennially thereafter, on all such
3652 fund-raising; and

3653 [(9)] (7) Charge the direct costs for a building project under its
3654 jurisdiction to the bond fund account for such project; provided, (A)
3655 such costs are charged in accordance with a procedure approved by
3656 the Treasurer, and (B) nothing in this subdivision shall permit the
3657 charging of working capital costs, as defined in the applicable
3658 provisions of the Internal Revenue Code of 1986, or any subsequent
3659 corresponding internal revenue code of the United States, as from time
3660 to time amended, or costs originally paid from sources other than the
3661 bond fund account.

3662 (c) The [board of trustees] Board of Regents for Higher Education
3663 shall: (1) Review and approve institutional budget requests; [and
3664 prepare and submit to the Board of Governors of Higher Education, in
3665 accordance with the provisions of section 10a-8, the budget requests;]
3666 and (2) propose facility planning and capital expenditure budget
3667 priorities for the institutions and divisions under its jurisdiction. The
3668 board may request authority from the Treasurer to issue payment for
3669 claims against said colleges, other than a payment for payroll, debt
3670 service payable on state bonds to bondholders, paying agents, or
3671 trustees, or any payment the source of which includes the proceeds of
3672 a state bond issue.

3673 Sec. 118. Subsection (a) of section 10a-72a of the general statutes is
3674 repealed and the following is substituted in lieu thereof (*Effective July*
3675 *1, 2003*):

3676 (a) Except when specifically prohibited by the conditions, if any,
3677 upon which a gift was created or by a conditional sales agreement, the
3678 Board of [Trustees for the Community-Technical Colleges] Regents for
3679 Higher Education is authorized to sell, trade, or otherwise dispose of
3680 any unwanted, duplicate, out-of-date or irrelevant materials within the
3681 regional community-technical college libraries under the jurisdiction of
3682 the board, provided the monetary proceeds of such a transaction, if
3683 any, shall be deemed to be funds from private sources and, as such
3684 funds, shall be held in the manner prescribed by section 4-31a, as
3685 amended by this act, for use in furthering any purpose the board
3686 considers to be in harmony with the original purpose of the gift or
3687 purchase of such materials.

3688 Sec. 119. Section 10a-72d of the general statutes is repealed and the
3689 following is substituted in lieu thereof (*Effective July 1, 2003*):

3690 The Board of [Trustees for the Community-Technical Colleges]
3691 Regents for Higher Education shall establish procedures for (1) the
3692 development of articulation agreements between the regional
3693 community-technical colleges and the regional vocational-technical

3694 schools in order to ensure a successful transition to higher education
3695 for students attending the regional vocational-technical schools, and
3696 (2) the awarding of appropriate college credit for persons enrolled in
3697 and registered under the terms of a qualified apprenticeship training
3698 program, certified in accordance with regulations adopted by the
3699 Labor Commissioner and registered with the Connecticut State
3700 Apprenticeship Council established under section 31-51b.

3701 Sec. 120. Subsections (a) and (b) of section 10a-77 of the general
3702 statutes are repealed and the following is substituted in lieu thereof
3703 (*Effective July 1, 2003*):

3704 (a) Subject to the provisions of section 10a-26, the Board of [Trustees
3705 of the Community-Technical Colleges] Regents for Higher Education
3706 shall fix fees for tuition at the regional community-technical colleges
3707 and shall fix fees for such other purposes as the board deems necessary
3708 at the regional community-technical colleges, and may make refunds
3709 to the same.

3710 (b) The Board of [Trustees of the Community-Technical Colleges]
3711 Regents for Higher Education shall establish and administer a fund to
3712 be known as the Regional Community-Technical Colleges Operating
3713 Fund. Appropriations from general revenues of the state for the
3714 community-technical colleges, except the amount of the appropriation
3715 for operating expenses to be used for personal services and the
3716 appropriations for fringe benefits pursuant to subsection (a) of section
3717 4-73, and all tuition revenue received by the regional community-
3718 technical colleges in accordance with the provisions of subsection (a) of
3719 this section shall be deposited in said fund. Income from student fees
3720 or related charges; the proceeds of auxiliary activities and business
3721 enterprises, gifts and donations; federal funds and grants for purposes
3722 other than research, and all receipts derived from the conduct by the
3723 colleges of their education extension programs and summer school
3724 sessions shall be credited to said fund but shall be allocated to the
3725 central office and institutional operating accounts which shall be

3726 established and maintained for the central office and each community-
3727 technical college. The board [of trustees] shall establish an equitable
3728 policy for allocation of appropriations from general revenues of the
3729 state and tuition revenue deposited in the Regional Community-
3730 Technical Colleges Operating Fund. At the beginning of each quarter
3731 of the fiscal year, the board shall allocate and transfer, in accordance
3732 with said policy, moneys for expenditure in such institutional
3733 operating accounts, exclusive of amounts retained for central office
3734 operations and reasonable reserves for future distribution. All costs of
3735 waiving or remitting tuition pursuant to subsection (e) of this section
3736 shall be charged to the Regional Community-Technical Colleges
3737 Operating Fund. Repairs, alterations or additions to facilities
3738 supported by operating funds and costing one million dollars or more
3739 shall require the approval of the General Assembly, or when the
3740 General Assembly is not in session, of the Finance Advisory
3741 Committee. Any balance of receipts above expenditures shall remain
3742 in said fund, except such sums as may be required for deposit into a
3743 debt service fund or the General Fund for further payment by the
3744 Treasurer of debt service on general obligation bonds of the state
3745 issued for purposes of community-technical colleges.

3746 Sec. 121. Section 10a-79 of the general statutes is repealed and the
3747 following is substituted in lieu thereof (Effective July 1, 2003):

3748 The Board of [Trustees of the Community-Technical Colleges]
3749 Regents for Higher Education shall appoint a committee at each
3750 regional community-technical college to establish traffic and parking
3751 regulations for passenger vehicles at such college. Such traffic
3752 committee, subject to the approval of said board and of the State
3753 Traffic Commission, may prohibit, limit or restrict the parking of
3754 passenger vehicles, determine speed limits, restrict roads or portions
3755 thereof to one-way traffic and designate the location of crosswalks on
3756 any portion of any road or highway subject to the care, custody and
3757 control of said board, [of trustees,] order to have erected and
3758 maintained signs designating such prohibitions or restrictions, and

3759 impose a fine upon any person who fails to comply with any such
3760 prohibition or restriction. All fines so imposed at each regional
3761 community-technical college, less an amount not to exceed the cost of
3762 enforcing traffic and parking regulations, shall be deposited in the
3763 institutional operating account of such college for scholarships and
3764 library services or acquisitions. The Board of [Trustees of the
3765 Community-Technical Colleges] Regents for Higher Education shall
3766 establish at each regional community-technical college a committee
3767 which shall hear appeals of penalties assessed for parking or traffic
3768 violations. The membership of both the committee to establish traffic
3769 and parking regulations and the committee to hear traffic violation
3770 appeals shall include student and faculty representation.

3771 Sec. 122. Section 10a-87 of the general statutes is repealed and the
3772 following is substituted in lieu thereof (*Effective July 1, 2003*):

3773 The Board of [Trustees of the Connecticut State University System]
3774 Regents for Higher Education shall maintain: Western Connecticut
3775 State University, Southern Connecticut State University, Eastern
3776 Connecticut State University and Central Connecticut State University.
3777 The board [of trustees] shall offer curricula which shall prepare
3778 persons who have successfully completed the same to teach in the
3779 schools of the state at any of said institutions as the board shall deem
3780 appropriate and, in addition, programs of study in academic and
3781 career fields. [, provided the board of trustees shall submit to the Board
3782 of Governors of Higher Education for review and approval
3783 recommendations for program terminations at any of said institutions
3784 in accordance with the provisions of subdivision (8) of subsection (a) of
3785 section 10a-6.] The board [of trustees] shall establish policies which
3786 protect academic freedom and the content of course and degree
3787 programs. [, provided such policies shall be consistent with state-wide
3788 policy and guidelines established by the Board of Governors of Higher
3789 Education.] Each of said institutions shall confer such degrees in
3790 education and in academic and career fields as are appropriate to the
3791 curricula of said institution and as are usually conferred by the

3792 institutions; honorary degrees may be conferred by said institutions
3793 upon approval of each honorary degree recipient by the Board of
3794 [Trustees of the Connecticut State University System] Regents for
3795 Higher Education.

3796 Sec. 123. Section 10a-89 of the general statutes is repealed and the
3797 following is substituted in lieu thereof (*Effective July 1, 2003*):

3798 (a) [Subject to state-wide policy and guidelines established by the
3799 Board of Governors of Higher Education, the board of trustees] The
3800 Board of Regents for Higher Education shall provide for the
3801 administration of the Connecticut State University [system,] System
3802 and plan for the expansion and development of the institutions,
3803 [within its jurisdiction, and submit such plans to the Board of
3804 Governors of Higher Education and to the Commissioner of Public
3805 Works for review and recommendations.] The Commissioner of Public
3806 Works upon request of the board [of trustees] shall, in accordance with
3807 section 4b-30, negotiate and execute leases on such physical facilities as
3808 the board [of trustees] may deem necessary for proper operation of
3809 such institutions, and the board [of trustees] may, with the permission
3810 of the Commissioner of Public Works and the State Properties Review
3811 Board, expend capital funds therefor if such leasing is required during
3812 the planning and construction phases of institutions within its
3813 jurisdiction for which such capital funds were authorized. Subject to
3814 such policies as may be established by the board, [of trustees,] the chief
3815 executive officer of each institution within the jurisdiction of the board
3816 may make buildings and other facilities under its control available to
3817 nonprofit and other organizations or to individuals for temporary uses
3818 not inconsistent with the educational purpose of the institution. The
3819 board [of trustees] may appoint or remove the chief executive officer of
3820 each institution within its jurisdiction, and with respect to its own
3821 operation the board [of trustees] may appoint and remove an executive
3822 secretary and executive staff. The board [of trustees] may determine
3823 the size of the executive staff and the duties, terms and conditions of
3824 employment of said secretary and staff, subject to personnel guidelines

3825 established by the [Board of Governors of Higher Education in
3826 consultation with said board of trustees] board. The board [of trustees]
3827 may employ faculty and other personnel needed to maintain and
3828 operate the institutions within its jurisdiction. Within the limitation of
3829 appropriations, the board [of trustees] shall fix the compensation of
3830 such personnel, establish terms and conditions of employment and
3831 prescribe their duties and qualifications. The board [of trustees] shall
3832 determine who constitutes its professional staff and establish
3833 compensation and classification schedules for its professional staff. The
3834 board [of trustees] shall annually submit to the Commissioner of
3835 Administrative Services a list of the positions which it has included
3836 within the professional staff. The board [of trustees] may appoint one
3837 or more physicians for the Connecticut State University [system]
3838 System and shall provide such physicians with suitable facilities for
3839 the performance of such duties as it prescribes. [Subject to state-wide
3840 policy and guidelines established by the Board of Governors of Higher
3841 Education, the board of trustees] The board shall: (1) Make rules for
3842 the government of the Connecticut State University [system] System
3843 and shall determine the general policies of the university system,
3844 including those concerning the admission of students and the
3845 expenditure of the funds of institutions under its jurisdiction within
3846 the amounts available; (2) develop the mission statement for the
3847 university system which shall include, but not be limited to the
3848 following elements: (A) The educational needs of and constituencies
3849 served by the institutions within its jurisdiction; (B) the degrees offered
3850 by such institutions; and (C) the role and scope of each institution
3851 within the university system, which shall include each institution's
3852 particular strengths and specialties; [. The board of trustees shall
3853 submit the mission statement to the Board of Governors of Higher
3854 Education for review and approval in accordance with the provisions
3855 of section 10a-6;] (3) establish policies for the university system and for
3856 the individual institutions under its jurisdiction; [(4) submit to the
3857 Board of Governors of Higher Education, for approval,
3858 recommendations for the establishment of new academic programs; (5)

3859 make appropriate recommendations to the Board of Governors of
3860 Higher Education regarding institutional mergers or closures; (6)] (4)
3861 coordinate the programs and services of the institutions under its
3862 jurisdiction; [(7)] (5) be authorized to enter into agreements, consistent
3863 with the provisions of section 5-141d, to save harmless and indemnify
3864 sponsors of research grants to institutions under its jurisdiction,
3865 provided such an agreement is required to receive the grant and limits
3866 liability to damages or injury resulting from acts or omissions related
3867 to such research by employees of such institutions; [(8)] (6) promote
3868 fund-raising by the institutions under its jurisdiction in order to assist
3869 such institutions, provided the board shall not directly engage in fund-
3870 raising except for purposes of providing funding for (A) scholarships
3871 or other direct student financial aid, and (B) programs, services or
3872 activities at one or more of the institutions within its jurisdiction and
3873 report to the [Commissioner of] Chancellor for Higher Education and
3874 the joint standing committee of the General Assembly having
3875 cognizance of matters relating to higher education by January 1, 1994,
3876 and biennially thereafter, on all such fund-raising; and [(9)] (7) charge
3877 the direct costs for a building project under its jurisdiction to the bond
3878 fund account for such project, provided (A) such costs are charged in
3879 accordance with a procedure approved by the Treasurer, and (B)
3880 nothing in this subdivision shall permit the charging of working
3881 capital, as defined in the applicable provisions of the Internal Revenue
3882 Code of 1986, or any subsequent corresponding internal revenue code
3883 of the United States, as from time to time amended, or costs originally
3884 paid from sources other than the bond fund account.

3885 (b) The [board of trustees] Board of Regents for Higher Education
3886 shall: (1) Review and approve institutional budget requests [and
3887 prepare and submit to the Board of Governors of Higher Education, in
3888 accordance with the provisions of section 10a-8, the budget request] for
3889 the Connecticut State University [system] System; and (2) propose
3890 facility planning and capital expenditure budget priorities for the
3891 institutions under its jurisdiction. The board may request authority
3892 from the Treasurer to issue payment for claims against the state

3893 university system, other than a payment for payroll, debt service
3894 payable on state bonds to bondholders, paying agents, or trustees, or
3895 any payment the source of which includes the proceeds of a state bond
3896 issue.

3897 Sec. 124. Subsection (a) of section 10a-89a of the general statutes is
3898 repealed and the following is substituted in lieu thereof (*Effective July*
3899 *1, 2003*):

3900 (a) Except when specifically prohibited by the conditions, if any,
3901 upon which a gift was created or by a conditional sales agreement, the
3902 Board of [Trustees of the Connecticut State University System] Regents
3903 for Higher Education is authorized to sell, trade, or otherwise dispose
3904 of any unwanted, duplicate, out-of-date or irrelevant materials within
3905 the libraries under the jurisdiction of the board, provided the monetary
3906 proceeds of such a transaction, if any, shall be deemed to be funds
3907 from private sources and, as such funds, shall be held in the manner
3908 prescribed by section 4-31a, as amended by this act, for use in
3909 furthering any purpose the board considers to be in harmony with the
3910 original purpose of the gift or purchase of such materials.

3911 Sec. 125. Subsection (a) of section 10a-89b of the general statutes is
3912 repealed and the following is substituted in lieu thereof (*Effective July*
3913 *1, 2003*):

3914 (a) The Board of [Trustees for the Connecticut State University
3915 System] Regents for Higher Education is authorized to borrow money
3916 from the Connecticut Health and Educational Facilities Authority for
3917 any project for which the authority is authorized to make loans
3918 pursuant to chapter 187 and to refinance any such borrowing, and in
3919 connection therewith the Board of [Trustees for the Connecticut State
3920 University System] Regents for Higher Education is authorized to
3921 enter into any loan or other agreement and to make such covenants,
3922 representations and indemnities as the board of trustees deems
3923 necessary or desirable to obtain such loans from the authority or to
3924 facilitate the issue of bonds by the authority to finance such loans,

3925 including agreements with providers of letters of credit, insurance or
3926 other credit facilities for such financings. Any such agreement,
3927 covenant, representation and indemnification shall be a full faith and
3928 credit obligation of the Connecticut State University [system] System.
3929 The Board of [Trustees of the Connecticut State University System]
3930 Regents for Higher Education may secure such obligations by a pledge
3931 of the revenues to be derived from the operation or use of a project or
3932 projects, from tuition payments, from student fees, from dormitory or
3933 dining hall income or from other general revenues. Any pledge made
3934 by the Connecticut State University [system] System pursuant to this
3935 section and sections 10a-186a and 10a-187 shall be valid and binding
3936 from the time when the pledge is made. The lien of any such pledge
3937 shall be valid and binding as against all parties having claims of any
3938 kind in tort, contract or otherwise against the Connecticut State
3939 University [system] System, irrespective of whether the parties have
3940 notice of the claims. Notwithstanding any provision of the Uniform
3941 Commercial Code to the contrary, no instrument by which such a
3942 pledge is created need be recorded or filed. Any revenues or other
3943 receipts, funds, moneys or income so pledged and thereafter received
3944 by the Connecticut State University [system] System shall be subject
3945 immediately to the lien of the pledge without any physical delivery
3946 thereof or further act and such lien shall have priority over all other
3947 liens, including without limitation the lien of any person who, in the
3948 ordinary course of business, furnishes services or materials to the
3949 Connecticut State University [system] System.

3950 Sec. 126. Subsection (a) of section 10a-89c of the general statutes is
3951 repealed and the following is substituted in lieu thereof (*Effective July*
3952 *1, 2003*):

3953 (a) If the General Assembly for each fiscal year following the fiscal
3954 year ending June 30, 1998, to the fiscal year ending June 30, 2008,
3955 inclusive, does not appropriate from the General Fund for the specific
3956 purpose of debt service on self-liquidating general obligation bonds of
3957 the state or obligations of the Board of [Trustees for the Connecticut

3958 State University System] Regents for Higher Education financed
3959 through the Connecticut Health and Educational Facilities Authority
3960 for residential and other auxiliary service facilities, excluding any
3961 appropriation for such debt service to be paid from revenues from
3962 student fees and dormitory and dining hall income to be paid by the
3963 Board of [Trustees for the Connecticut State University System]
3964 Regents for Higher Education to the State Treasurer for the payment of
3965 such self-liquidating general obligation bonds of the state, (1) the
3966 amount of five million dollars, or (2) an amount equal to half the sum
3967 of revenue from student fees received by all the state universities
3968 within the Connecticut State University [system] System from the
3969 uniform assessment of all full-time students enrolled at any time at any
3970 of the state universities within the Connecticut State University
3971 [system] System, except for charges for tuition or dormitory or dining
3972 charges or student activity fee or other fee charged by an individual
3973 state university, commonly called the university fee, for the calendar
3974 year ending the preceding December thirty-first, as certified by the
3975 chairperson of the board of trustees by February fifteenth to the
3976 Secretary of the Office of Policy and Management, whichever amount
3977 is less, the State Bond Commission may, in accordance with the
3978 provisions of this section, from time to time authorize the issuance of
3979 general obligation bonds of the state in one or more series in principal
3980 amounts not exceeding five million dollars in any such fiscal year, to
3981 finance the design, construction or renovation of residential and other
3982 auxiliary service facilities at state universities within the Connecticut
3983 State University [system] System, and in any event not exceeding the
3984 amount which the General Assembly failed to appropriate for debt
3985 service for that fiscal year in the manner provided in this section. For
3986 purposes of this section the term "residential and other auxiliary
3987 facilities" (A) means any residential facilities, student centers, dining
3988 facilities and other auxiliary service facilities at state universities
3989 within the Connecticut State University [system] System, and (B)
3990 includes, but is not limited to, low rise dormitory code compliance
3991 renovations at Central Connecticut State University; code compliance

3992 at Central Connecticut State University, Eastern Connecticut State
3993 University, Southern Connecticut State University and Western
3994 Connecticut State University; student center addition and renovations
3995 at Central Connecticut State University; student center addition and
3996 renovations at Eastern Connecticut State University; construction of a
3997 new student center at Southern Connecticut State University; Burr Hall
3998 residence hall renovations at Eastern Connecticut State University;
3999 improvements to Connecticut Hall at Southern Connecticut State
4000 University; and Shafer Hall residence conversion at Eastern
4001 Connecticut State University.

4002 Sec. 127. Section 10a-89e of the general statutes is repealed and the
4003 following is substituted in lieu thereof (*Effective July 1, 2003*):

4004 The Board of [Trustees for the Connecticut State University System]
4005 Regents for Higher Education shall: (1) Consolidate the purchasing
4006 process for the system at the central office; (2) expedite the purchasing
4007 process by adjusting policies and utilizing enabling technologies; and
4008 (3) redesign and train central purchasing personnel to focus on
4009 customer service, vendor management activities and the establishment
4010 of system contracts.

4011 Sec. 128. Section 10a-90 of the general statutes is repealed and the
4012 following is substituted in lieu thereof (*Effective July 1, 2003*):

4013 The Board of [Trustees for the Connecticut State University System]
4014 Regents for Higher Education, with the approval of the Governor and
4015 the Secretary of the Office of Policy and Management, may lease state-
4016 owned land under its care, custody or control to private developers for
4017 construction of dormitory buildings, provided such developers agree
4018 to lease such buildings to such board of trustees with an option to
4019 purchase and provided further that any such agreement to lease is
4020 subject to the provisions of section 4b-23, prior to the making of the
4021 original lease by the board of trustees. The plans for such buildings
4022 shall be subject to approval of such board, the Commissioner of Public
4023 Works and the State Properties Review Board and such leases shall be

4024 for the periods and upon such terms and conditions as the
4025 Commissioner of Public Works determines, and such buildings, while
4026 privately owned, shall be subject to taxation by the town in which they
4027 are located. The Board of [Trustees for the Connecticut State University
4028 System] Regents for Higher Education may also deed, transfer or lease
4029 state-owned land under its care, custody or control to the State of
4030 Connecticut Health and Educational Facilities Authority for financing
4031 or refinancing the planning, development, acquisition and construction
4032 and equipping of dormitory buildings and student housing facilities
4033 and to lease or sublease such dormitory buildings or student housing
4034 facilities and authorize the execution of financing leases of land,
4035 interests therein, buildings and fixtures in order to secure obligations
4036 to repay any loan from the State of Connecticut Health and
4037 Educational Facilities Authority from the proceeds of bonds issued
4038 thereby pursuant to the provisions of chapter 187 made by the
4039 authority to finance or refinance the planning, development,
4040 acquisition and construction of dormitory buildings. Any such
4041 financing lease shall not be subject to the provisions of section 4b-23
4042 and the plans for such dormitories shall be subject only to the approval
4043 of the board. Such financing leases shall be for such periods and upon
4044 such terms and conditions that the board shall determine. Any state
4045 property so leased shall not be subject to local assessment and taxation
4046 and such state property shall be included as property of the
4047 Connecticut State University for the purpose of computing a grant in
4048 lieu of taxes pursuant to section 12-19a.

4049 Sec. 129. Subsection (a) of section 10a-91 of the general statutes is
4050 repealed and the following is substituted in lieu thereof (*Effective July*
4051 *1, 2003*):

4052 (a) The Board of [Trustees of the Connecticut State University
4053 System] Regents for Higher Education, with the approval of the
4054 Governor, the Commissioner of Public Works and the State Properties
4055 Review Board, may lease land or buildings under its care, custody or
4056 control to private developers for rental housing and commercial

4057 establishments. Such leases shall be for periods and upon such terms
4058 and conditions, including, but not limited to, provision for adequate
4059 liability insurance to be maintained by the lessee for the benefit of the
4060 state and rental terms, as may be determined by the Commissioner of
4061 Public Works and, in the case of a lease of land, may provide for the
4062 construction of buildings thereon to be used for rental housing and
4063 commercial establishments, the plans of which shall be subject to the
4064 approval of the board of trustees, the Commissioner of Public Works
4065 and the State Properties Review Board. Said board of trustees may
4066 provide for water, heat and waste disposal services on a cost-
4067 reimbursement basis to such leased premises. Said board may
4068 designate the kinds of concessions for supplying goods, commodities,
4069 services and facilities to be permitted on such land and may select the
4070 permittees, or said board may delegate such functions to the private
4071 developers with which it contracts pursuant to this section.

4072 Sec. 130. Section 10a-92 of the general statutes is repealed and the
4073 following is substituted in lieu thereof (*Effective July 1, 2003*):

4074 The Board of [Trustees of the Connecticut State University System]
4075 Regents for Higher Education shall appoint a committee at each
4076 campus to establish traffic and parking regulations for passenger
4077 vehicles on such campus. Such traffic committee, subject to the
4078 approval of said board and of the State Traffic Commission, may
4079 prohibit, limit or restrict the parking of passenger vehicles, determine
4080 speed limits, restrict roads or portions thereof to one-way traffic and
4081 designate the location of crosswalks on any portion of any road or
4082 highway subject to the care, custody and control of said board of
4083 trustees, order to have erected and maintained signs designating such
4084 prohibitions or restrictions, and impose a fine upon any person who
4085 fails to comply with any such prohibition or restriction. Violation of
4086 any provision of this section shall be an infraction. All fines so imposed
4087 at each state university, less an amount not to exceed the cost of
4088 enforcing traffic and parking regulations, shall be deposited in the
4089 institutional operating account of such state university for scholarships

4090 and library services or acquisitions. The Board of [Trustees of the
4091 Connecticut State University System] Regents for Higher Education
4092 shall establish at each campus a committee which shall hear appeals of
4093 penalties assessed for parking or traffic violations. The membership of
4094 both the committee to establish traffic and parking regulations and the
4095 committee to hear traffic violation appeals shall include student and
4096 faculty representation.

4097 Sec. 131. Section 10a-94 of the general statutes is repealed and the
4098 following is substituted in lieu thereof (*Effective July 1, 2003*):

4099 The Board of [Trustees of the Connecticut State University System]
4100 Regents for Higher Education shall maintain, as a part of its extension
4101 programs, summer sessions at such place or places as may be
4102 practicable and may fix the tuition fees to be charged.

4103 Sec. 132. Section 10a-98 of the general statutes is repealed and the
4104 following is substituted in lieu thereof (*Effective July 1, 2003*):

4105 As used in this section and sections 10a-98a to 10a-98g, inclusive, as
4106 amended by this act, "board" means the Board of [Trustees of the
4107 Connecticut State University System] Regents for Higher Education;
4108 "foundation" means [the] a research foundation established in
4109 accordance with section 10a-98a, as amended by this act; "employee"
4110 means any member of the faculty or staff of the Connecticut State
4111 University [system or the] System or the Community-Technical
4112 College System or a foundation, or any other employee thereof;
4113 "invention" means any invention or discovery and shall be divided
4114 into the following categories: A. Any invention conceived by one
4115 employee solely, or by employees jointly; B. any invention conceived
4116 by one or more employees jointly with one or more other persons; C.
4117 any invention conceived by one or more persons not employees.

4118 Sec. 133. Section 10a-98a of the general statutes is repealed and the
4119 following is substituted in lieu thereof (*Effective July 1, 2003*):

4120 The board is authorized to establish and manage the [foundation]
4121 Connecticut State University System and the Community-Technical
4122 College System foundations as provided [herein] in this section. The
4123 [foundation] foundations may, subject to direction, regulation and
4124 authorization or ratification by the board: (1) Receive, solicit, contract
4125 for and collect, and hold in separate custody for purposes herein
4126 expressed or implied, endowments, donations, compensation and
4127 reimbursement, in the form of money paid or promised, services,
4128 materials, equipment or any other things tangible or intangible that
4129 may be acceptable to the [foundation] foundations; (2) disburse funds
4130 acquired by the [foundation] foundations from any source, for
4131 purposes of instruction, research, invention, discovery, development
4132 or engineering, for the dissemination of information related to such
4133 activities, and for other purposes approved by the board and
4134 consistent with sections 10a-98 to 10a-98g, inclusive, as amended by
4135 this act; (3) file and prosecute patent applications and obtain patents,
4136 relating to inventions or discoveries which the Connecticut State
4137 University [system] System or Community Technical-College System
4138 may be justly entitled to own or control, wholly or partly, under
4139 circumstances hereinafter defined; and receive and hold in separate
4140 custody, assignments, grants, licenses and other rights in respect to
4141 such inventions, discoveries, patent applications and patents; (4) make
4142 assignments, grants, licenses or other disposal, equitably in the public
4143 interest, of any rights owned, acquired or controlled by the
4144 [foundation] foundations, in or to inventions, discoveries, patent
4145 applications and patents; and to charge therefor and collect, and to
4146 incorporate in funds in the custody of the [foundation] foundations,
4147 reasonable compensation in such form and measure as the board
4148 authorizes or ratifies; and (5) execute contracts with employees or
4149 others for the purpose of carrying out the provisions of sections 10a-98
4150 to 10a-98g, inclusive, as amended by this act. All property and rights of
4151 every character, tangible and intangible, placed in the custody of the
4152 [foundation] foundations in accordance with said sections shall be held
4153 by the [foundation] foundations in trust for the uses of the Connecticut

4154 State University [system] System or the Community-Technical College
4155 System. The entire beneficial ownership thereof shall vest in said
4156 university and the board shall exercise complete control thereof.

4157 Sec. 134. Section 10a-98b of the general statutes is repealed and the
4158 following is substituted in lieu thereof (*Effective July 1, 2003*):

4159 The Connecticut State University [system] System and the
4160 Community-Technical College System shall be entitled to own, or to
4161 participate in the ownership of, and to place in the custody of the
4162 [foundation] foundations to the extent of such ownership, any
4163 invention, on the following conditions: [(a)] (1) The university or
4164 college shall be entitled to own the entire right, title and interest in and
4165 to any invention in category A, in any instance in which such invention
4166 is conceived in the course of performance of customary or assigned
4167 duties of the employee inventor or inventors, or in which the invention
4168 emerges from any research, development or other program of the
4169 university or college, or is conceived or developed wholly or partly at
4170 the expense of the university or college, or with the aid of its
4171 equipment, facilities or personnel. In each such instance, the employee
4172 inventor shall be deemed to be obligated, by reason of his employment
4173 by the university or college, to disclose his invention fully and
4174 promptly to an authorized executive of the university or college; to
4175 assign to the university or college the entire right, title and interest in
4176 and to each invention in category A; to execute instruments of
4177 assignment to that effect; to execute such proper patent applications on
4178 such invention as may be requested by an authorized executive of the
4179 university or college, and to give all reasonable aid in the prosecution
4180 of such patent applications and the procurement of patents thereon;
4181 [(b)] (2) the university or college shall have the rights defined in
4182 [subsection (a)] subdivision (1) of this section with respect to
4183 inventions in category B, to the extent to which an employee has or
4184 employees have disposable interests therein; and to the same extent
4185 the employee or employees shall be obligated, as defined in [said
4186 subsection (a); (c)] subdivision (1) of this section; (3) the university or

4187 college shall have no right to inventions in category C, except as may
4188 be otherwise provided in contracts, express or implied, between the
4189 university or college or the [foundation] foundations and those entitled
4190 to the control of inventions in category C.

4191 Sec. 135. Section 10a-98c of the general statutes is repealed and the
4192 following is substituted in lieu thereof (*Effective July 1, 2003*):

4193 Each employee who conceives any invention and discharges his
4194 obligations to the Connecticut State University [system] System or the
4195 Community-Technical College System as [hereinbefore] provided in
4196 section 10a-98b, as amended by this act, shall be entitled to share in
4197 any net proceeds that may be derived from the assignment, grant,
4198 license or other disposal of such invention. The amount of such net
4199 proceeds shall be computed by, or with the approval of, the board,
4200 with reasonable promptness after collection thereof, and after
4201 deducting from gross proceeds such costs and expenses as may be
4202 reasonably allocated to the particular invention or discovery. A
4203 minimum of twenty per cent of the amount of such net proceeds shall
4204 be paid to an employee who solely conceived or made the invention,
4205 and shall be paid in shares to two or more employees who jointly
4206 made the invention in such respective proportions as the board may
4207 determine. The board in its discretion may increase the amount by
4208 which any employee or employees may participate in such net
4209 proceeds.

4210 Sec. 136. Section 10a-98e of the general statutes is repealed and the
4211 following is substituted in lieu thereof (*Effective July 1, 2003*):

4212 The board is authorized to establish and regulate, equitably in the
4213 public interest, such measures as the board deems necessary for the
4214 purposes of such arbitration, and to make contracts for compulsory
4215 arbitration, in the name of the Connecticut State University [system]
4216 System or the Community-Technical College System or of the
4217 [foundation] foundations.

4218 Sec. 137. Section 10a-98f of the general statutes is repealed and the
4219 following is substituted in lieu thereof (*Effective July 1, 2003*):

4220 The board is authorized to make and enforce regulations to govern
4221 the operations of the Connecticut State University [system] System or
4222 the Community-Technical College System and the [foundation]
4223 foundations in accordance with the provisions of sections 10a-98 to
4224 10a-98g, inclusive, as amended by this act.

4225 Sec. 138. Section 10a-99 of the general statutes are repealed and the
4226 following is substituted in lieu thereof (*Effective July 1, 2003*):

4227 (a) Subject to the provisions of section 10a-26, the Board of [Trustees
4228 of the Connecticut State University System] Regents for Higher
4229 Education shall fix fees for tuition and shall fix fees for such other
4230 purposes as the board deems necessary at the university, and may
4231 make refunds of the same.

4232 (b) The Board of [Trustees of the Connecticut State University
4233 System] Regents for Higher Education shall establish and administer a
4234 fund to be known as the Connecticut State University System
4235 Operating Fund. Appropriations from general revenues of the state
4236 and upon request by the [Connecticut State University system] board
4237 and with the annual review and approval by the Secretary of the Office
4238 of Policy and Management, the amount of the appropriations for fringe
4239 benefits pursuant to subsection (a) of section 4-73, shall be transferred
4240 from the State Comptroller and all tuition revenue received by the
4241 Connecticut State University [system] System in accordance with the
4242 provisions of subsection (a) of this section shall be deposited in said
4243 fund. Income from student fees or related charges, the proceeds of
4244 auxiliary activities and business enterprises, gifts and donations,
4245 federal funds and grants, subject to the provisions of sections 10a-98 to
4246 10a-98g, inclusive, as amended by this act, and all receipts derived
4247 from the conduct by a state university of its education extension
4248 program and its summer school session shall be credited to said fund
4249 but shall be allocated to the central office and institutional operating

4250 accounts which shall be established and maintained for the central
4251 office and each state university. Any such gifts and donations, federal
4252 funds and grants for purposes of research shall be allocated to separate
4253 accounts within such central office and institutional operating
4254 accounts. If the Secretary of the Office of Policy and Management
4255 disapproves such transfer, he may require the amount of the
4256 appropriation for operating expenses to be used for personal services
4257 and fringe benefits to be excluded from said fund. The State Treasurer
4258 shall review and approve the transfer prior to such request by the
4259 university. The board of trustees shall establish an equitable policy for
4260 allocation of appropriations from general revenues of the state, fringe
4261 benefits transferred from the State Comptroller and tuition revenue
4262 deposited in the Connecticut State University System Operating Fund.
4263 At the beginning of each quarter of the fiscal year, the board shall
4264 allocate and transfer, in accordance with said policy, moneys for
4265 expenditure in such institutional operating accounts, exclusive of
4266 amounts retained for central office operations and reasonable reserves
4267 for future distribution. All costs of waiving or remitting tuition
4268 pursuant to subsection (e) of this section shall be charged to the
4269 Connecticut State University System Operating Fund. Repairs,
4270 alterations or additions to facilities supported by the Connecticut State
4271 University System Operating Fund and costing one million dollars or
4272 more shall require the approval of the General Assembly, or when the
4273 General Assembly is not in session, of the Finance Advisory
4274 Committee. Any balance of receipts above expenditures shall remain
4275 in said fund, except such sums as may be required for deposit into a
4276 debt service fund or the General Fund for further payment by the
4277 Treasurer of debt service on general obligation bonds of the state
4278 issued for purposes of the Connecticut State University [system]
4279 System.

4280 (c) Commencing December 1, 1984, and thereafter within sixty days
4281 of the close of each quarter, the board of trustees shall submit to the
4282 joint standing committee of the General Assembly having cognizance
4283 of matters relating to appropriations and the budgets of state agencies

4284 and the Office of Policy and Management, through the Board of
4285 Governors of Higher Education, a report on the actual expenditures of
4286 the Connecticut State University System Operating Fund containing
4287 such relevant information as the Board of Governors of Higher
4288 Education may require.

4289 (d) Said board shall waive the payment of tuition fees at the
4290 Connecticut State University system (1) for any dependent child of a
4291 person whom the armed forces of the United States has declared to be
4292 missing in action or to have been a prisoner of war while serving in
4293 such armed forces after January 1, 1960, which child has been accepted
4294 for admission to such institution and is a resident of Connecticut at the
4295 time such child is accepted for admission to such institution, (2) for
4296 any veteran having served in time of war, as defined in subsection (a)
4297 of section 27-103, or who served in either a combat or combat support
4298 role in the invasion of Grenada, October 25, 1983, to December 15,
4299 1983, the invasion of Panama, December 20, 1989, to January 31, 1990,
4300 or the peace-keeping mission in Lebanon, September 29, 1982, to
4301 March 30, 1984, who has been accepted for admission to such
4302 institution and is a resident of Connecticut at the time such veteran is
4303 accepted for admission to such institution, (3) for any resident of
4304 Connecticut sixty-two years of age or older who has been accepted for
4305 admission to such institution, provided such person is enrolled in a
4306 degree-granting program or, provided, at the end of the regular
4307 registration period, there are enrolled in the course a sufficient number
4308 of students other than those persons eligible for waivers pursuant to
4309 this subdivision to offer the course in which such person intends to
4310 enroll and there is space available in such course after accommodating
4311 all such students, (4) for any student attending the Connecticut Police
4312 Academy who is enrolled in a law enforcement program at said
4313 academy offered in coordination with the university which accredits
4314 courses taken in such program, (5) for any active member of the
4315 Connecticut Army or Air National Guard who (A) is a resident of
4316 Connecticut, (B) has been certified by the Adjutant General or such
4317 Adjutant General's designee as a member in good standing of the

4318 guard, and (C) is enrolled or accepted for admission to such institution
4319 on a full-time or part-time basis in an undergraduate degree-granting
4320 program, (6) for any dependent child of a (A) police officer, as defined
4321 in section 7-294a, or a supernumerary or auxiliary police officer, (B)
4322 firefighter, as defined in section 7-323j, or a member of a volunteer fire
4323 company, (C) municipal employee, or (D) state employee, as defined in
4324 section 5-154, killed in the line of duty, and (7) for any resident of this
4325 state who is a dependent child or surviving spouse of a specified
4326 terrorist victim who was a resident of the state. If any person who
4327 receives a tuition waiver in accordance with the provisions of this
4328 subsection also receives educational reimbursement from an employer,
4329 such waiver shall be reduced by the amount of such educational
4330 reimbursement. Veterans described in subdivision (2) of this
4331 subsection and members of the National Guard described in
4332 subdivision (5) of this subsection shall be given the same status as
4333 students not receiving tuition waivers in registering for courses at
4334 Connecticut state universities.

4335 (e) Said board shall set aside from its anticipated tuition revenue, an
4336 amount not less than that required by the board of governors' tuition
4337 policy established under subdivision (3) of subsection (a) of section
4338 10a-6. Such funds shall be used to provide tuition waivers, tuition
4339 remissions, grants for educational expenses and student employment
4340 for any undergraduate or graduate student who is enrolled as a full or
4341 part-time matriculated student in a degree-granting program, or
4342 enrolled in a precollege remedial program, and who demonstrates
4343 substantial financial need. Said board may also set aside from its
4344 anticipated tuition revenue an additional amount equal to one per cent
4345 of said tuition revenue for financial assistance for students who would
4346 not otherwise be eligible for financial assistance but who do have a
4347 financial need as determined by the university in accordance with this
4348 subsection. In determining such financial need, the university shall
4349 exclude the value of equity in the principal residence of the student's
4350 parents or legal guardians, or in the student's principal residence if the
4351 student is not considered to be a dependent of his parents or legal

4352 guardians and shall assess the earnings of a dependent student at the
4353 rate of thirty per cent.

4354 (f) The Connecticut State University System Operating Fund shall be
4355 reimbursed for the amount by which the tuition waivers granted
4356 under subsection (d) of this section exceed two and one-half per cent of
4357 tuition revenue through an annual state appropriation. The board of
4358 trustees shall request such an appropriation and said appropriation
4359 shall be based upon an estimate of tuition revenue loss using tuition
4360 rates in effect for the fiscal year in which such appropriation will
4361 apply.

4362 (g) Notwithstanding the provisions of section 5-259 or any other
4363 provision of the general statutes limiting eligibility of state employees
4364 for coverage under a plan identified in section 5-259, graduate
4365 assistants at the university shall be eligible to receive such coverage
4366 provided they are employed for a sufficient number of hours to equal
4367 at least fifty per cent of full-time, as defined by said board.

4368 Sec. 139. Section 4-29 of the general statutes is repealed and the
4369 following is substituted in lieu thereof (*Effective July 1, 2003*):

4370 Any state appropriation or the proceeds of any bond issue
4371 authorized by the General Assembly for the purpose of erecting a
4372 building or buildings for the use of any state institution, any institution
4373 under the jurisdiction of the Board of [Trustees of the Connecticut State
4374 University System] Regents for Higher Education enumerated in
4375 section 10a-87, any state vocational school or The University of
4376 Connecticut, for the development of aviation and for other purposes,
4377 may be used in whole or in part as the state's share of the cost of the
4378 work involved in conjunction with any funds made available by any
4379 branch of the federal government if the Governor so determines and
4380 directs.

4381 Sec. 140. Subsection (a) of section 4-31a of the general statutes is
4382 repealed and the following is substituted in lieu thereof (*Effective July*

4383 1, 2003):

4384 (a) Any gift, contribution, income from trust funds, or other aid
4385 from any private source or from the federal government, except federal
4386 aid for highway and bridge purposes or federal funds in the
4387 possession of the Board of Control of the Connecticut Agricultural
4388 Experiment Station, the Board of [Trustees of the University of
4389 Connecticut, the Board of Trustees of the Connecticut State University
4390 System, the Board of Trustees of the Community-Technical Colleges,]
4391 Regents for Higher Education or the Employment Security Division of
4392 the Labor Department, or any other gift, grant or trust fund in the
4393 possession of any of said boards, shall be entered upon the records of
4394 the General Fund in the manner prescribed by the Secretary of the
4395 Office of Policy and Management. When so recorded, such amounts
4396 shall be deemed to be appropriated to the purposes of such gift,
4397 contribution or other aid and shall be allotted in accordance with law.
4398 No gift, contribution, income from trust funds, or other aid from any
4399 private source or from the federal government that is subject to this
4400 subsection shall require allotment, except upon a notice by the
4401 Secretary of the Office of Policy and Management that the state agency
4402 receiving such funding has failed to consistently provide the
4403 notifications required in subsection (e) of section 4-66a.

4404 Sec. 141. Subdivision (3) of section 4-37f of the general statutes is
4405 repealed and the following is substituted in lieu thereof (*Effective July*
4406 *1, 2003*):

4407 (3) If the constituent unit is the Board of [Trustees of the
4408 Community-Technical Colleges or the Board of Trustees of the
4409 Connecticut State University System] Regents for Higher Education,
4410 the purposes of the foundation shall be limited to providing funding
4411 for (A) scholarships or other direct student financial aid, and (B)
4412 programs, services or activities at one or more of the institutions
4413 within its jurisdiction.

4414 Sec. 142. Section 5-177 of the general statutes is repealed and the

4415 following is substituted in lieu thereof (*Effective July 1, 2003*):

4416 Any person in the unclassified service employed full time by the
4417 Board of Trustees of The University of Connecticut, the State Board of
4418 Education, the Board of Education and Services for the Blind, the
4419 Connecticut Agricultural Experiment Station, the American School for
4420 the Deaf, the Connecticut Institute for the Blind, the [Newington
4421 Children's Hospital,] Connecticut Children's Medical Center or the
4422 Board of [Trustees of the Connecticut State University System or the
4423 Board of Trustees of the Community-Technical Colleges] Regents for
4424 Higher Education, as a teacher or administrator in a position directly
4425 involved in educational activities in any state-operated institution or
4426 the Board of Governors of Higher Education, who served prior to his
4427 employment by the state in a full-time teaching, administrative or
4428 research position in an educational institution in or under the
4429 authority of a state department of education or a department of
4430 education for the blind in the United States approved by the
4431 Retirement Commission, or who was employed by such institution but
4432 served all or part of such service time in a foreign country, for which
4433 service he has received or will receive no retirement benefit or pension,
4434 may gain credit for such prior service, not to exceed ten years in the
4435 aggregate, by making retirement contributions for each year of such
4436 prior service equal to six per cent of his annual rate of compensation
4437 when he first became a full-time employee of this state; provided such
4438 payment shall be made within one year of his first full-time
4439 employment with the state, or before July 1, 1968, whichever is later,
4440 but for the Board of Higher Education and Technical Colleges, July 1,
4441 1974. When a person who has gained credit for such prior service
4442 retires, not more than one year of such service may be counted for each
4443 two years of state service; provided, if such person has purchased
4444 more of such service than can be counted, refund on the amount paid
4445 on the extra years of service shall be made.

4446 Sec. 143. Section 10-155 of the general statutes is repealed and the
4447 following is substituted in lieu thereof (*Effective July 1, 2003*):

4448 The Board of [Trustees for the Connecticut State University System]
4449 Regents for Higher Education may maintain an emergency training
4450 program to prepare graduates of approved four-year colleges and
4451 universities to teach in the elementary schools of the state. In carrying
4452 out such program the board may [(a)] (1) establish regulations
4453 governing the admission of students to the program, [; (b)] (2) fix
4454 tuition rates to be paid by such students, and [(c)] (3) enter into such
4455 contracts and agreements as it finds necessary to secure the necessary
4456 facilities.

4457 Sec. 144. Subsection (a) of section 10a-3 of the general statutes is
4458 repealed and the following is substituted in lieu thereof (*Effective July*
4459 *1, 2003*):

4460 (a) There shall be a standing committee which shall serve as an
4461 advisory body to the Board of Governors of Higher Education to assist
4462 the board in performing its statutory functions. The committee shall
4463 consist of the following members: (1) One member from [each of the
4464 Boards of Trustees of the Connecticut State University System and] the
4465 Board of Trustees of The University of Connecticut, [two] three
4466 members from the Board of [Trustees of the Community-Technical
4467 Colleges] Regents for Higher Education, one of whom shall be an
4468 alumnus of a regional technical college or shall have expertise and
4469 experience in business, labor, industry or technical occupations, and
4470 one member from a board of trustees of an independent college; (2)
4471 one member from the administrative staff of each of said constituent
4472 units, except that for the community-technical colleges there shall be
4473 two members, one of whom shall be an administrator at a former
4474 technical college, and one member from the administrative staff of an
4475 independent college; (3) one member from the faculty senate
4476 representing each of said constituent units, except that for the
4477 community-technical colleges, there shall be two faculty members, one
4478 of whom shall be a technical or technological education faculty
4479 member at a former technical college, and one member from the
4480 faculty of an independent college; (4) one student from each of said

4481 constituent units, except that for the community-technical colleges
4482 there shall be two students one of whom shall be enrolled in a
4483 technical or technological education program at a former technical
4484 college, and one student from an independent college; (5) one
4485 representative of the Board for State Academic Awards; and (6) one
4486 representative from the accredited private occupational schools of
4487 Connecticut.

4488 Sec. 145. Section 10a-20 of the general statutes is repealed and the
4489 following is substituted in lieu thereof (*Effective July 1, 2003*):

4490 Notwithstanding the provisions of any general statute or special act
4491 [to the contrary,] the selection, appointment, assignment of duties,
4492 amount of compensation, sick leave, vacation, leaves of absence,
4493 termination of service, rank and status of the individual members of
4494 the respective professional staffs of the system of higher education
4495 shall be under the sole jurisdiction of the respective boards of trustees
4496 within available funds. The Board of [Governors of Higher Education
4497 shall, in consultation with the Boards of Trustees of the Community-
4498 Technical Colleges and the Connecticut State University System]
4499 Regents for Higher Education and the Board for State Academic
4500 Awards, develop personnel guidelines for the central office staffs of
4501 said boards of trustees. The Board of Governors of Higher Education
4502 and the constituent unit boards shall each determine who constitutes
4503 the professional staffs of their respective units and establish
4504 compensation and classification schedules for their professional staffs.
4505 Each constituent board shall annually submit to the Commissioner of
4506 Administrative Services a list of the positions which it has included
4507 within the professional staff.

4508 Sec. 146. Subsection (c) of section 10a-20a of the general statutes is
4509 repealed and the following is substituted in lieu thereof (*Effective July*
4510 *1, 2003*):

4511 (c) The Board of Trustees of The University of Connecticut and the
4512 [Board of Trustees of the Connecticut State University System] Regents

4513 for Higher Education may apply for the establishment of an endowed
4514 chair to be supported by a grant of not less than five hundred
4515 thousand and not more than one million dollars from the Endowed
4516 Chair Investment Fund and a matching nonstate contribution.
4517 Applications for endowed chairs shall be accepted on October first and
4518 April first in each year in which funds are available. To apply for the
4519 state grant, the board of trustees shall notify the board of governors
4520 that it has raised a matching nonstate contribution and that it is eligible
4521 for a grant of state funds to establish an endowed chair in a specific
4522 academic discipline. The board of trustees shall submit for the board's
4523 review and approval evidence that the chair will be established in a
4524 center of excellence, as defined in subsection (b) of section 10a-25h.

4525 Sec. 147. Section 10a-67 of the general statutes is repealed and the
4526 following is substituted in lieu thereof (*Effective July 1, 2003*):

4527 Notwithstanding any provisions of the general statutes, [to the
4528 contrary, the Boards of Trustees of the Community-Technical Colleges,
4529 the Connecticut State University System and] the Board of Regents for
4530 Higher Education and the Board of Trustees for The University of
4531 Connecticut shall fix fees for tuition for nonresident students who are
4532 enrolled in institutions under the jurisdiction of said boards through
4533 the New England Regional Student Program of not less than the
4534 tuition rate charged of resident students enrolled in similar programs
4535 plus fifty per cent of that rate, such revenue to be deposited to the
4536 revenues of the tuition funds of the respective constituent units.

4537 Sec. 148. Section 10a-72c of the general statutes is repealed and the
4538 following is substituted in lieu thereof (*Effective July 1, 2003*):

4539 There is established a council to advise the Board of [Trustees of the
4540 Community-Technical Colleges] Regents for Higher Education, in the
4541 performance of its statutory functions relating to technical and
4542 technological education. The council shall consist of: (1) The
4543 Commissioner of Economic and Community Development and the
4544 Labor Commissioner, (2) one technical or technological education

4545 faculty member from each of the community-technical colleges
4546 appointed by the chief executive officer of each such institution, (3) one
4547 technical or technological education student from each of the
4548 community-technical colleges elected by the student body of each such
4549 institution.

4550 Sec. 149. Section 10a-73 of the general statutes is repealed and the
4551 following is substituted in lieu thereof (*Effective July 1, 2003*):

4552 The Board of [Trustees of the Community-Technical Colleges]
4553 Regents for Higher Education, upon the recommendation of the chief
4554 executive officers of the regional community-technical colleges, shall
4555 appoint for each regional community-technical college a regional
4556 council, representative of the geographical area served. Each such
4557 council shall advise the board and the chief executive officer of each
4558 regional community-technical college with respect to appropriate
4559 educational programs to meet the needs of the communities in the
4560 region which it represents.

4561 Sec. 150. Section 10a-149 of the general statutes is repealed and the
4562 following is substituted in lieu thereof (*Effective July 1, 2003*):

4563 In addition to other powers granted in the general statutes,
4564 authority and responsibility for the operation of the state's public
4565 institutions of higher education shall be vested in (1) the Board of
4566 Trustees of The University of Connecticut which shall have exclusive
4567 responsibility for programs leading to doctoral degrees and
4568 postbaccalaureate professional degrees, (2) the Board of [Trustees of
4569 the Connecticut State University System] Regents for Higher
4570 Education which shall have special responsibility for the preparation
4571 of personnel for the public schools of the state including master's
4572 degree programs and other graduate study in education, and authority
4573 for providing liberal arts and career programs at the bachelors, masters
4574 and sixth year level, (3) the Board of Trustees of the Community-
4575 Technical Colleges which shall have responsibility for providing
4576 programs, as enumerated in section 10a-80, leading, where

4577 appropriate, to an associate degree or occupational certificate and
4578 programs leading to the degree of associate in applied science and
4579 such other appropriate degrees or certificates as are approved by the
4580 Board of Governors of Higher Education and for such terminal
4581 vocational retraining and continuing education programs leading to
4582 occupational certificates as are appropriate, and (4) the Board for State
4583 Academic Awards which shall have responsibility for the award of
4584 external degrees and credits earned by examination and by other
4585 forms of validation and by evaluation of learning, including transfer of
4586 credit; provided the authority of the [Boards] Board of Trustees of The
4587 University of Connecticut [, the Connecticut State University System
4588 and the Community-Technical Colleges] and the Board of Regents for
4589 Higher Education to award degrees of the respective institutions shall
4590 not be affected.

4591 Sec. 151. Subsection (a) of section 10a-151a of the general statutes is
4592 repealed and the following is substituted in lieu thereof (*Effective July*
4593 *1, 2003*):

4594 (a) Notwithstanding the provisions of any general statute or
4595 regulation, [to the contrary, the Boards of Trustees for the Community-
4596 Technical Colleges, the Connecticut State University System and] the
4597 Board of Regents for Higher Education and the Board of Trustees of
4598 The University of Connecticut shall annually designate from the funds
4599 available to each board for equipment an amount to be spent by each
4600 institution under its jurisdiction for the purchase of equipment used
4601 for research purposes, library media and library books for each such
4602 fiscal year.

4603 Sec. 152. Subsection (b) of section 14-73 of the general statutes is
4604 repealed and the following is substituted in lieu thereof (*Effective July*
4605 *1, 2003*):

4606 (b) Application for an instructor's license shall be in writing and
4607 shall contain such information as the commissioner requires. The
4608 applicant shall furnish evidence satisfactory to the commissioner that

4609 he (1) is of good moral character and has never been convicted of a
4610 crime involving moral turpitude; (2) has held a license to drive a motor
4611 vehicle for the past four consecutive years and has a driving record
4612 satisfactory to the commissioner; (3) has had a recent medical
4613 examination by a physician licensed to practice within the state and
4614 the physician certifies that the applicant is physically fit to operate a
4615 motor vehicle and instruct in driving; (4) has received a high school
4616 diploma or has an equivalent academic education; and (5) has
4617 completed an instructor training course of forty-five clock hours given
4618 by a school or agency approved by the commissioner, except that any
4619 such course given by an institution under the jurisdiction of the [board
4620 of trustees of the Connecticut State University system] Board of
4621 Regents for Higher Education must be approved by the commissioner
4622 and the State Board of Education.

4623 Sec. 153. Section 29-251b of the general statutes is repealed and the
4624 following is substituted in lieu thereof (*Effective July 1, 2003*):

4625 There is established, within the Department of Public Safety a
4626 Building Code Training Council which shall advise the State Building
4627 Inspector and the Codes and Standards Committee on all matters
4628 pertaining to certification training programs, continuing educational
4629 programs for building officials pursuant to section 29-262 and
4630 programs for all other persons eligible to receive training pursuant to
4631 subsections (a) and (c) of section 29-251c. The council shall be
4632 composed of seventeen members, who shall be residents of this state,
4633 appointed as follows: (1) The State Building Inspector, or his designee;
4634 (2) one by the Codes and Standards Committee, who shall be a
4635 member of said committee; (3) three by the Connecticut Building
4636 Officials Association, each of whom shall be a member of said
4637 association; (4) one by the Board of [Governors of Higher Education;
4638 (5) one by the Board of Trustees of the Community-Technical Colleges]
4639 Regents for Higher Education; [(6)] (5) one by the Governor, who shall
4640 be a chief elected official of a municipality; [(7)] (6) seven by the
4641 Commissioner of Public Safety: (A) One of whom shall be an architect

4642 licensed pursuant to chapter 390, selected from a list of individuals
4643 submitted by the Connecticut Chapter of the American Institute of
4644 Architects; (B) one of whom shall be a professional engineer, licensed
4645 pursuant to chapter 391, selected from a list of individuals submitted
4646 by the Connecticut Engineers in Private Practice; (C) one of whom
4647 shall be a landscape architect, licensed pursuant to chapter 396,
4648 selected from a list of individuals submitted by the Connecticut
4649 Chapter of the American Society of Landscape Architects; (D) one of
4650 whom shall be an interior designer registered pursuant to chapter
4651 396a, selected from a list of individuals submitted by the Connecticut
4652 Coalition of Interior Designers; (E) one of whom shall be a member of
4653 the Connecticut State Building Trades Council, selected from a list of
4654 individuals submitted by said organization; and (F) two of whom shall
4655 be builders, general contractors or superintendents of construction,
4656 one having expertise in residential building construction, selected from
4657 a list of individuals submitted by the Home Builders Association of
4658 Connecticut, Inc., and one having expertise in nonresidential building
4659 construction, selected from a list of individuals submitted by the
4660 Associated General Contractors of Connecticut, Incorporated; [(8)] (7)
4661 one by the Director of the Office of Protection and Advocacy for
4662 Persons with Disabilities; and [(9)] (8) one by the president pro
4663 tempore of the Senate, who shall be a member of the public. The
4664 council shall elect a chairperson and vice-chairperson from among its
4665 members. Any member who fails to attend at least fifty per cent of all
4666 meetings held during any calendar year or fails to attend three
4667 consecutive meetings shall be deemed to have resigned from the
4668 council. Vacancies on the council shall be filled by the appointing
4669 authority. Members of the council shall serve without compensation
4670 but shall, within the limits of available funds as approved by the
4671 Commissioner of Public Safety, be reimbursed for necessary expenses
4672 incurred in the performance of their duties.

4673 Sec. 154. Section 29-298a of the general statutes is repealed and the
4674 following is substituted in lieu thereof (*Effective July 1, 2003*):

4675 There shall be established within the Department of Public Safety a
4676 Fire Marshal Training Council which shall advise the State Fire
4677 Marshal and the Codes and Standards Committee on all matters
4678 pertaining to certification training programs, in-service training for fire
4679 marshals in the state and programs for all other persons eligible to
4680 receive training pursuant to subsections (a) to (c), inclusive, of section
4681 29-251c. The council shall be composed of twelve members as follows:
4682 The State Fire Marshal or his designee; a member of the Codes and
4683 Standards Committee to be elected by such committee; three members
4684 appointed by the Connecticut Fire Marshals' Association, one of whom
4685 shall be a volunteer, one of whom shall be a part-time paid, and one of
4686 whom shall be a full-time, local fire marshal, deputy fire marshal or
4687 fire inspector; [one member appointed by the Board of Governors of
4688 Higher Education; two] three members appointed by the Board of
4689 [Trustees for the Community-Technical Colleges] Regents for Higher
4690 Education; the chief elected official of a municipality having a
4691 population in excess of seventy thousand persons, appointed by the
4692 Governor; the chief elected official of a municipality having a
4693 population of less than seventy thousand persons, appointed by the
4694 Governor; and two public members, appointed by the Governor.
4695 Members shall be residents of this state and shall not be compensated
4696 for their services but shall be reimbursed for necessary expenses
4697 incurred in the performance of their duties. The council may elect such
4698 officers as it deems necessary.

4699 Sec. 155. Subsection (a) of section 32-612 of the general statutes is
4700 repealed and the following is substituted in lieu thereof (*Effective July*
4701 *1, 2003*):

4702 (a) A downtown higher education center project, as described in
4703 section 32-600, shall be developed by the Department of Public Works
4704 in consultation with the Board of [Trustees of the Community-
4705 Technical Colleges] Regents for Higher Education. Said project shall
4706 not require approval by the State Properties Review Board.

4707 Sec. 156. Section 48-9 of the general statutes is repealed and the
4708 following is substituted in lieu thereof (*Effective July 1, 2003*):

4709 Subject to the provisions of section 4b-23, the state may take land, or
4710 any interest or estate therein, for the site, or for any addition to the site,
4711 of any state institution or courthouse, or for any addition to the site of
4712 any institution under the jurisdiction of the Board of [Trustees of the
4713 Connecticut State University System] Regents for Higher Education,
4714 vocational school or technical college or for the purposes of subsection
4715 (e) of section 22a-133m, and also may take water from any river, brook,
4716 spring or springs, pond or lake for the purpose of providing such
4717 supply of water as the convenience and necessity of such institution
4718 may require. The amount of damages for any such taking shall be
4719 determined in the manner provided by section 48-10.

4720 Sec. 157. Section 22a-1b of the general statutes is repealed and the
4721 following is substituted in lieu thereof (*Effective July 1, 2003*):

4722 The General Assembly directs that, to the fullest extent possible:

4723 (a) Each state department, institution or agency shall review its
4724 policies and practices to insure that they are consistent with the state's
4725 environmental policy as set forth in sections 22a-1 and 22a-1a.

4726 (b) (1) Each sponsoring agency shall, prior to a decision to draft an
4727 environmental impact evaluation pursuant to subsection (c) of this
4728 section for an action which may significantly affect the environment,
4729 conduct an early public scoping process.

4730 (2) To initiate an early public scoping process, the sponsoring
4731 agency shall provide notice, [on a form that has been approved by the
4732 Council on Environmental Quality,] which shall include, but not be
4733 limited to, the date, time and location of any proposed public scoping
4734 meeting and the duration of the public comment period pursuant to
4735 subdivision (3) of this subsection, to [the council,] the Office of Policy
4736 and Management, [and to] the Department of Environmental

4737 Protection, any other state agency whose activities may reasonably be
4738 expected to affect or be affected by the proposed action and the
4739 Connecticut Law Journal for publication.

4740 (3) Members of the public and any interested state agency
4741 representatives may submit comments on the nature and extent of any
4742 environmental impacts of the proposed action during the thirty days
4743 following the publication of the notice of the early public scoping
4744 process pursuant to this section.

4745 (4) A public scoping meeting shall be held at the discretion of the
4746 sponsoring agency or if twenty-five persons or an association having
4747 not less than twenty-five persons requests such a meeting within ten
4748 days of the publication of the notice in the [Environmental Monitor]
4749 Connecticut Law Journal. A scoping meeting shall be held not less than
4750 ten days following [the] such notice of the project. [in the
4751 Environmental Monitor.] The public comment period shall remain
4752 open for at least five days following the meeting.

4753 (5) A sponsoring agency shall provide the following at a public
4754 scoping meeting: (A) A description of the proposed action; (B) a
4755 description of the purpose and need of the proposed action; (C) a list of
4756 the criteria for a site for the proposed action; (D) a list of potential sites
4757 for the proposed action; (E) the resources of any proposed site of the
4758 proposed action; (F) the environmental limitations of such sites; (G)
4759 potential alternatives to the proposed action; and (H) any of the
4760 information the sponsoring agency deems necessary.

4761 (6) Any agency submitting comments or participating in the public
4762 scoping meeting pursuant to this section shall include, to the extent
4763 practicable, but not be limited to, information about (A) the resources
4764 of any proposed site of the proposed action, (B) any plans of the
4765 commenting agency that may affect or be affected by the proposed
4766 action, (C) any permits or approvals that may be necessary for the
4767 proposed action, and (D) any appropriate measures that would
4768 mitigate the impact of the proposed action, including, but not limited

4769 to, recommendations as to preferred sites for the proposed action or
4770 alternatives for the proposed action that have not been identified by
4771 the sponsoring agency.

4772 (7) The sponsoring agency shall consider any comments received
4773 pursuant to this section or any information obtained during the public
4774 scoping meeting in selecting the proposed actions to be addressed in
4775 the environmental impact evaluation and shall evaluate in its
4776 environmental impact evaluation any substantive issues raised during
4777 the early public scoping process that pertain to a proposed action or
4778 site or alternative actions or sites.

4779 (c) Each state department, institution or agency responsible for the
4780 primary recommendation or initiation of actions which may
4781 significantly affect the environment shall in the case of each such
4782 proposed action make a detailed written evaluation of its
4783 environmental impact before deciding whether to undertake or
4784 approve such action. All such environmental impact evaluations shall
4785 be detailed statements setting forth the following: (1) A description of
4786 the proposed action which shall include, but not be limited to, a
4787 description of the purpose and need of the proposed action, and, in the
4788 case of a proposed facility, a description of the infrastructure needs of
4789 such facility, including, but not limited to, parking, water supply,
4790 wastewater treatment and the square footage of the facility; (2) the
4791 environmental consequences of the proposed action, including
4792 cumulative, direct and indirect effects which might result during and
4793 subsequent to the proposed action; (3) any adverse environmental
4794 effects which cannot be avoided and irreversible and irretrievable
4795 commitments of resources should the proposal be implemented; (4)
4796 alternatives to the proposed action, including the alternative of not
4797 proceeding with the proposed action and, in the case of a proposed
4798 facility, a list of all the sites controlled by or reasonably available to the
4799 sponsoring agency that would meet the stated purpose of such facility;
4800 (5) an evaluation of the proposed action's consistency and each
4801 alternative's consistency with the state plan of conservation and

4802 development, an evaluation of each alternative including, to the extent
4803 practicable, in terms of whether it avoids, minimizes or mitigates
4804 environmental impacts, and, where appropriate, detailed mitigation
4805 measures proposed to minimize environmental impacts, including, but
4806 not limited to, where appropriate, a site plan; (6) an analysis of the
4807 short term and long term economic, social and environmental costs
4808 and benefits of the proposed action; (7) the effect of the proposed
4809 action on the use and conservation of energy resources; and (8) a
4810 description of the effects of the proposed action on sacred sites or
4811 archaeological sites of state or national importance. In the case of an
4812 action which affects existing housing, the evaluation shall also contain
4813 a detailed statement analyzing (A) housing consequences of the
4814 proposed action, including direct and indirect effects which might
4815 result during and subsequent to the proposed action by income group
4816 as defined in section 8-37aa and by race, and (B) the consistency of the
4817 housing consequences with the long-range state housing plan adopted
4818 under section 8-37t. As used in this section, "sacred sites" and
4819 "archaeological sites" shall have the same meaning as in section 10-381.

4820 [(d) (1) The Council on Environmental Quality shall publish a
4821 document at least once a month to be called the Environmental
4822 Monitor which shall include any notices the council receives pursuant
4823 to sections 22a-1b to 22a-1i, inclusive, and shall include notice of the
4824 opportunity to petition for a public scoping meeting. Filings of such
4825 notices received by five o'clock p.m. on the first day of each month
4826 shall be published in the Environmental Monitor that is issued not
4827 later than ten days thereafter.

4828 (2) The Council on Environmental Quality shall post the
4829 Environmental Monitor on its Internet site and distribute a
4830 subscription or a copy of the Environmental Monitor by electronic mail
4831 to any state agency, municipality or person upon request. The council
4832 shall also provide the Environmental Monitor to the clerk of each
4833 municipality for posting in its town hall.]

4834 Sec. 158. Subsection (a) of section 22a-1d of the general statutes is
4835 repealed and the following is substituted in lieu thereof (*Effective July*
4836 *1, 2003*):

4837 (a) Environmental impact evaluations and a summary thereof,
4838 including any negative findings shall be submitted for comment and
4839 review to [the Council on Environmental Quality,] the Department of
4840 Environmental Protection, the Connecticut Historical Commission, the
4841 Office of Policy and Management, the Department of Economic and
4842 Community Development in the case of a proposed action that affects
4843 existing housing, and other appropriate agencies, and to the town clerk
4844 of each municipality affected thereby, and shall be made available to
4845 the public for inspection and comment at the same time. The
4846 sponsoring agency shall publish forthwith a notice of the availability of
4847 its environmental impact evaluation and summary in a newspaper of
4848 general circulation in the municipality at least once a week for three
4849 consecutive weeks and in the [Environmental Monitor] Connecticut
4850 Law Journal. The sponsoring agency preparing an environmental
4851 impact evaluation shall hold a public hearing on the evaluation if
4852 twenty-five persons or an association having not less than twenty-five
4853 persons requests such a hearing within ten days of the publication of
4854 the final notice [in the Environmental Monitor] in such municipal
4855 newspaper.

4856 Sec. 159. Subsection (c) of section 22a-6y of the general statutes is
4857 repealed and the following is substituted in lieu thereof (*Effective July*
4858 *1, 2003*):

4859 (c) The commissioner shall submit an application of a business
4860 under subsection (a) of this section to an advisory board convened by
4861 the commissioner for consideration of such application. Such board
4862 shall consist of [a representative of the Council on Environmental
4863 Quality;] the Attorney General, or a designee; a representative of the
4864 industry in which the business is engaged, provided such
4865 representative has no business relationship with the applicant; and the

4866 commissioner, or a designee.

4867 Sec. 160. Subsection (e) of section 22a-119 of the general statutes is
4868 repealed and the following is substituted in lieu thereof (*Effective July*
4869 *1, 2003*):

4870 (e) Prior to commencing any hearing pursuant to this section the
4871 council shall consult with and solicit written comments from the
4872 Departments of Environmental Protection, Public Health, Public
4873 Utility Control, Economic and Community Development, Public Safety
4874 and Transportation [.] and the Office of Policy and Management. [and
4875 the Council on Environmental Quality.] Copies of comments
4876 submitted by such agencies shall be available to all parties prior to
4877 commencement of the public hearing. Agencies consulted may file
4878 additional comments within thirty days of the conclusion of the
4879 hearing and such additional comments shall be a part of the record.

4880 Sec. 161. Subsection (e) of section 22a-163i of the general statutes is
4881 repealed and the following is substituted in lieu thereof (*Effective July*
4882 *1, 2003*):

4883 (e) Prior to commencing any hearing pursuant to this section the
4884 council shall consult with and solicit written comments from the
4885 Departments of Environmental Protection, Public Health, Public
4886 Utility Control, Economic and Community Development, Public Safety
4887 and Transportation [.] and the Office of Policy and Management. [and
4888 the Council on Environmental Quality.] Copies of comments
4889 submitted by such agencies shall be available to all parties prior to
4890 commencement of the public hearing. Agencies consulted may file
4891 additional comments within thirty days of the conclusion of the
4892 hearing and such additional comments shall be a part of the record.

4893 Sec. 162. Subsection (b) of section 23-8 of the general statutes is
4894 repealed and the following is substituted in lieu thereof (*Effective July*
4895 *1, 2003*):

4896 (b) Twenty-one per cent of the state's land area shall be held as open
4897 space land. The goal of the state's open space acquisition program shall
4898 be to acquire land such that ten per cent of the state's land area is held
4899 by the state as open space land and not less than eleven per cent of the
4900 state's land area is held by municipalities, water companies or
4901 nonprofit land conservation organizations as open space land
4902 consistent with the provisions of sections 7-131d to 7-131g, inclusive.
4903 Such program shall not affect the ability of any water company to
4904 reclassify or sell any land, or interest in land, which was not acquired,
4905 in whole or in part, with funds made available under the program
4906 established under sections 7-131d to 7-131g, inclusive. The goal for
4907 state open space acquisition shall be three thousand acres acquired in
4908 1999, four thousand acres acquired in 2000, four thousand acres
4909 acquired in 2001 and five thousand acres acquired in 2002 provided
4910 such acquisition program shall continue until the overall state goal of
4911 open space acquisition is achieved. The commissioner, in consultation
4912 with [the Council on Environmental Quality established under section
4913 22a-11 and] private nonprofit land conservation organizations, shall
4914 prepare, and update as necessary, a comprehensive strategy for
4915 achieving the state goal and shall set an appropriate additional goal for
4916 increasing the amount of land held as open space by municipalities or
4917 by private nonprofit land conservation organizations and shall include
4918 in such strategy provisions for achieving such goal. Such strategy shall
4919 include, but not be limited to, recommendations regarding: (1)
4920 Timetables for acquisition of land by the state, (2) management of such
4921 land, (3) resources to be used for acquisition and management of such
4922 land, and (4) acquisition and maintenance of open space land by
4923 municipalities and by private entities. On or before January 1, 1998,
4924 and annually thereafter, the commissioner shall submit a report to the
4925 joint standing committee of the General Assembly having cognizance
4926 of matters relating to the environment regarding the strategy and the
4927 progress being made towards the goals.

4928 Sec. 163. Subsection (a) of section 23-102 of the general statutes is
4929 repealed and the following is substituted in lieu thereof (*Effective July*

4930 1, 2003):

4931 (a) There shall be a Connecticut Greenways Council which shall be
4932 within the Department of Environmental Protection for administrative
4933 purposes only. The council shall consist of eleven members, five to be
4934 appointed by the Governor, one to be appointed by the speaker of the
4935 House of Representatives, one to be appointed by the majority leader
4936 of the House of Representatives, one to be appointed by the president
4937 pro tempore of the Senate, one to be appointed by the majority leader
4938 of the Senate, one to be appointed by the minority leader of the House
4939 of Representatives and one to be appointed by the minority leader of
4940 the Senate. All appointments to the council shall be made on or before
4941 October 1, 1995. Three of the members initially appointed by the
4942 Governor shall serve a term of two years and two of the members
4943 appointed by the Governor shall serve a term of four years. All
4944 members appointed by the Governor thereafter shall serve a term of
4945 four years. The terms of all members appointed by members of the
4946 General Assembly shall be coterminous with the terms of members of
4947 the General Assembly. The appointing authority shall fill any vacancy
4948 by appointment for the unexpired portion of the term vacated. The
4949 chairman of said council shall be selected by the Governor. Members
4950 of said council shall receive no compensation for their services on the
4951 council. The council shall hold one meeting each quarter and such
4952 additional meetings as may be prescribed by council rules. Special
4953 meetings may be called by the chairman or by any three members
4954 upon delivery of forty-eight hours' written notice to each member. The
4955 council may employ an executive director, exclusive of the provisions
4956 of chapter 67, and such additional staff and contractors and
4957 consultants as may be necessary to carry out its duties, [and may share
4958 the personnel and resources of the council on environmental quality,]
4959 within available appropriations. The council may receive aid or
4960 contributions from any source, including grants-in-aid from any state
4961 agency.

4962 Sec. 164. Subsection (h) of section 16-50j of the general statutes is

4963 repealed and the following is substituted in lieu thereof (*Effective July*
4964 *1, 2003*):

4965 (h) Prior to commencing any hearing pursuant to section 16-50m,
4966 the council shall consult with and solicit written comments from the
4967 Department of Environmental Protection, the Department of Public
4968 Health, [the Council on Environmental Quality,] the Department of
4969 Public Utility Control, the Office of Policy and Management, the
4970 Department of Economic and Community Development and the
4971 Department of Transportation. In addition, the Department of
4972 Environmental Protection shall have the continuing responsibility to
4973 investigate and report to the council on all applications which prior to
4974 October 1, 1973, were within the jurisdiction of said Department of
4975 Environmental Protection with respect to the granting of a permit.
4976 Copies of such comments shall be made available to all parties prior to
4977 the commencement of the hearing. Subsequent to the commencement
4978 of the hearing, said departments, council and commissions may file
4979 additional written comments with the council within such period of
4980 time as the council designates. All such written comments shall be
4981 made part of the record provided by section 16-50o.

4982 Sec. 165. Subsection (a) of section 32-665 of the general statutes is
4983 repealed and the following is substituted in lieu thereof (*Effective July*
4984 *1, 2003*):

4985 (a) Except as otherwise provided in sections 32-650 to 32-668,
4986 inclusive, the following provisions of the general statutes, including
4987 regulations adopted thereunder, shall not apply to the overall project:
4988 Section 3-14b, subdivisions (12), (13) and (14) of section 4-166, sections
4989 4-167 to 4-174, inclusive, 4-181a, 4a-1 to 4a-59a, inclusive, 4a-63 to 4a-
4990 76, inclusive, title 4b, section 16a-31, chapters 97a, 124 and 126, sections
4991 14-311 to 14-314c, inclusive, 19a-37, 22a-16 and subsection (a) of section
4992 22a-19. [For the purposes of section 22a-12, construction plans relating
4993 to the overall project shall not be considered construction plans
4994 required to be submitted by state agencies to the Council on

4995 Environmental Quality.] Notwithstanding any provision of any special
4996 act, charter, ordinance, home rule ordinance or chapter 98 no provision
4997 of any such act, charter or ordinance or said chapter 98, concerning
4998 licenses, permits or approvals by a political subdivision of the state
4999 pertaining to building demolition or construction shall apply to the
5000 overall project and, notwithstanding any provision of the general
5001 statutes, the State Building Inspector and the State Fire Marshal shall
5002 have original jurisdiction with respect to the administration and
5003 enforcement of the State Building Code and the State Fire Safety Code,
5004 respectively, with respect to all aspects of the overall project,
5005 including, without limitation, the conduct of necessary reviews and
5006 inspections and the issuance of any building permit, certificate of
5007 occupancy or other necessary permits or certificates related to building
5008 construction, occupancy or fire safety. For the purposes of part III of
5009 chapter 557, the stadium facility project, the convention center project
5010 and the parking project shall be deemed to be a public works project
5011 and consist of public buildings except that the provisions relating to
5012 payment of prevailing wages to workers in connection with a public
5013 works project including, but not limited to, section 31-53 shall not
5014 apply to the stadium facility project, the convention center project and
5015 the parking project if the project manager or the prime construction
5016 contractor has negotiated other wage terms pursuant to a project labor
5017 agreement. The provisions of section 2-32c and subsection (c) of section
5018 2-79a shall not apply to any provisions of public act 99-241*, as
5019 amended by public act 00-140*, or chapter 588x concerning the overall
5020 project. Any building permit application with respect to the overall
5021 project shall be exempt from the assessment of an education fee under
5022 subsection (b) of section 29-252a.

5023 Sec. 166. Subsection (a) of section 51-10c of the general statutes is
5024 repealed and the following is substituted in lieu thereof (*Effective July*
5025 *1, 2003*):

5026 (a) There is established a Commission on Racial and Ethnic
5027 Disparity in the Criminal Justice System. The commission shall consist

5028 of the Chief Court Administrator, the Chief State's Attorney, the Chief
5029 Public Defender, the Commissioner of Public Safety, the Commissioner
5030 of Correction, the Commissioner of Children and Families, the Child
5031 Advocate, [the Victim Advocate,] the chairperson of the Board of
5032 Parole, the chairperson of the African-American Affairs Commission,
5033 the chairperson of the Latino and Puerto Rican Affairs Commission, or
5034 their designees, a representative of municipal police chiefs, a
5035 representative of a coalition representing police and correctional
5036 officers, six members appointed one each by the president pro tempore
5037 of the Senate, the speaker of the House of Representatives, the majority
5038 leader of the Senate, the majority leader of the House of
5039 Representatives, the minority leader of the Senate and the minority
5040 leader of the House of Representatives, and two members appointed
5041 by the Governor. The Chief Court Administrator or said
5042 administrator's designee shall serve as chairperson of the commission.
5043 The commission shall meet at such times as it deems necessary.

5044 Sec. 167. Section 52-259a of the general statutes is repealed and the
5045 following is substituted in lieu thereof (*Effective July 1, 2003*):

5046 (a) Any member of the Division of Criminal Justice or the Division
5047 of Public Defender Services, any employee of the Judicial Department,
5048 acting in the performance of such employee's duties, the Attorney
5049 General, an assistant attorney general, the Consumer Counsel, any
5050 attorney employed by the Office of Consumer Counsel within the
5051 Department of Public Utility Control, the Department of Revenue
5052 Services, the Commission on Human Rights and Opportunities, the
5053 Freedom of Information Commission, the Board of Labor Relations,
5054 the Office of Protection and Advocacy for Persons with Disabilities [or
5055 the Office of the Victim Advocate,] or any attorney appointed by the
5056 court to assist any of them or to act for any of them in a special case or
5057 cases, while acting in such attorney's official capacity or in the capacity
5058 for which such attorney was appointed, shall not be required to pay
5059 the fees specified in sections 52-258, 52-259, 52-259c and 52-259d,
5060 subsection (a) of section 52-356a, subsection (a) of section 52-361a and

5061 subsection (n) of section 46b-231.

5062 (b) The Immigration and Naturalization Service shall not be
5063 required to pay any fees specified in section 52-259 for any certified
5064 copy of any criminal record.

5065 Sec. 168. Subsection (b) of section 54-142g of the general statutes is
5066 repealed and the following is substituted in lieu thereof (*Effective July*
5067 *1, 2003*):

5068 (b) "Criminal justice agency" means any court with criminal
5069 jurisdiction, the Department of Motor Vehicles or any other
5070 governmental agency created by statute which is authorized by law
5071 and engages, in fact, as its principal function in activities constituting
5072 the administration of criminal justice, including, but not limited to,
5073 organized municipal police departments, the Division of State Police,
5074 the Department of Correction, the Court Support Services Division, the
5075 Office of Policy and Management, the state's attorneys, assistant state's
5076 attorneys and deputy assistant state's attorneys, the Board of Parole,
5077 the Board of Pardons [] and the Chief Medical Examiner. [and the
5078 Office of the Victim Advocate.] "Criminal justice agency" includes any
5079 component of a public, noncriminal justice agency if such component
5080 is created by statute and is authorized by law and, in fact, engages in
5081 activities constituting the administration of criminal justice as its
5082 principal function.

5083 Sec. 169. Subsection (b) of section 54-142q of the general statutes is
5084 repealed and the following is substituted in lieu thereof (*Effective July*
5085 *1, 2003*):

5086 (b) The governing board shall be composed of the Chief Court
5087 Administrator, who shall serve as chairperson, the Commissioner of
5088 Public Safety, the Secretary of the Office of Policy and Management,
5089 the Commissioner of Correction, the chairperson of the Board of
5090 Parole, the chairperson of the Board of Pardons, the Chief State's
5091 Attorney, the Chief Public Defender, the Chief Information Officer of

5092 the Department of Information Technology, [the Victim Advocate,] the
5093 Commissioner of Motor Vehicles and the president of the Connecticut
5094 Police Chiefs Association. Each member of the governing board may
5095 appoint a designee who shall have the same powers as such member.

5096 Sec. 170. (*Effective July 1, 2003*) Sections 46a-13b to 46a-13g, inclusive,
5097 of the general statutes are repealed.

5098 Sec. 171. (*Effective July 1, 2003*) Subdivisions (4) and (6) of subsection
5099 (e) of section 2c-2b, sections 10-293, 10-294, 10-298 to 10-298d, inclusive,
5100 10-310, 10-311, 22-1, 22-1c, 22-4, 46a-27 to 46a-30, inclusive, and section
5101 46a-32 of the general statutes are repealed.

5102 Sec. 172. (*Effective July 1, 2003*) Subdivision (14) of subsection (e) of
5103 section 2c-2b of the general statutes is repealed.

5104 Sec. 173. (*Effective July 1, 2003*) (a) Sections 10-369, 32-86 to 32-88,
5105 inclusive, 32-90 and 32-300 to 32-305, inclusive, of the general statutes
5106 are repealed.

5107 (b) In codifying the provisions of this act, the Legislative
5108 Commissioners shall delete the references to sections 10-369, 32-86 to
5109 32-88, inclusive, 32-90 and 32-300 to 32-305, inclusive, that appear in
5110 the following sections of the general statutes: 4-230, 7-425, 12-15, 12-412
5111 and 12-667.

5112 Sec. 174. (*Effective July 1, 2003*) Sections 2-120, 2-121, 46a-1 to 46a-4,
5113 inclusive, 46a-5, 46a-6, 46a-126 to 46a-131a, inclusive, and subdivision
5114 (25) of subsection (a) of section 2c-2b, of the general statutes, are
5115 repealed.

5116 Sec. 175. (*Effective July 1, 2003*) Sections 1-80, 1-81, 1-205 and 9-7a of
5117 the general statutes are repealed.

5118 Sec. 176. (*Effective July 1, 2003*) Section 38a-1042, 38a-1048 and 38a-
5119 1049 of the general statutes are repealed.

5120 Sec. 177. (*Effective July 1, 2003*) (a) Sections 10a-2, 10a-5, 10a-71 and
 5121 10a-88 of the general statutes are repealed.

5122 (b) In codifying the provisions of this act, the Legislative
 5123 Commissioners shall delete the references to sections 10a-2, 10a-5 and
 5124 10a-71 that appear in the following sections of the general statutes: 4-
 5125 9a, 10a-1, 10a-9, 10a-23, 10a-38b, 10a-53, 10a-171, 10a-323a and 10a-
 5126 323c.

5127 Sec. 178. (*Effective July 1, 2003*) Subdivision (11) of subsection (d) of
 5128 section 2c-2b and sections 22a-11 to 22a-13, inclusive, of the general
 5129 statutes are repealed.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>
Sec. 2	<i>July 1, 2003</i>
Sec. 3	<i>July 1, 2003</i>
Sec. 4	<i>July 1, 2003</i>
Sec. 5	<i>July 1, 2003</i>
Sec. 6	<i>July 1, 2003</i>
Sec. 7	<i>July 1, 2003</i>
Sec. 8	<i>July 1, 2003</i>
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Sec. 176	<i>July 1, 2003</i>
Sec. 177	<i>July 1, 2003</i>
Sec. 178	<i>July 1, 2003</i>

Statement of Purpose:

To consolidate state government by making changes concerning: (1) the Commission on Human Rights and Opportunities; (2) the Commission on the Deaf and Hearing Impaired and the Board of Education and Services for the Blind; (3) the Office of Workforce

Competitiveness; (4) the Department of Agriculture; (5) the State Commission on the Arts, the Connecticut Historical Commission, the Connecticut Film, Video and Media Office, and the Office of Tourism; (6) the Commission on Children, the Permanent Commission on the Status of Women, the Latino and Puerto Rican Affairs Commission, and the Connecticut African-American Affairs Commission; (7) the State Ethics Commission, State Elections Enforcement Commission and the Freedom of Information Commission; (8) the Board of Pardons and the Board of Parole; (9) the Office of the Managed Care Ombudsman; (10) agencies related to higher education; (11) the Council on Environmental Quality; and (12) the Office of the Victim Advocate.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: INTRODUCER WITHDRAWN

S.B. 15